

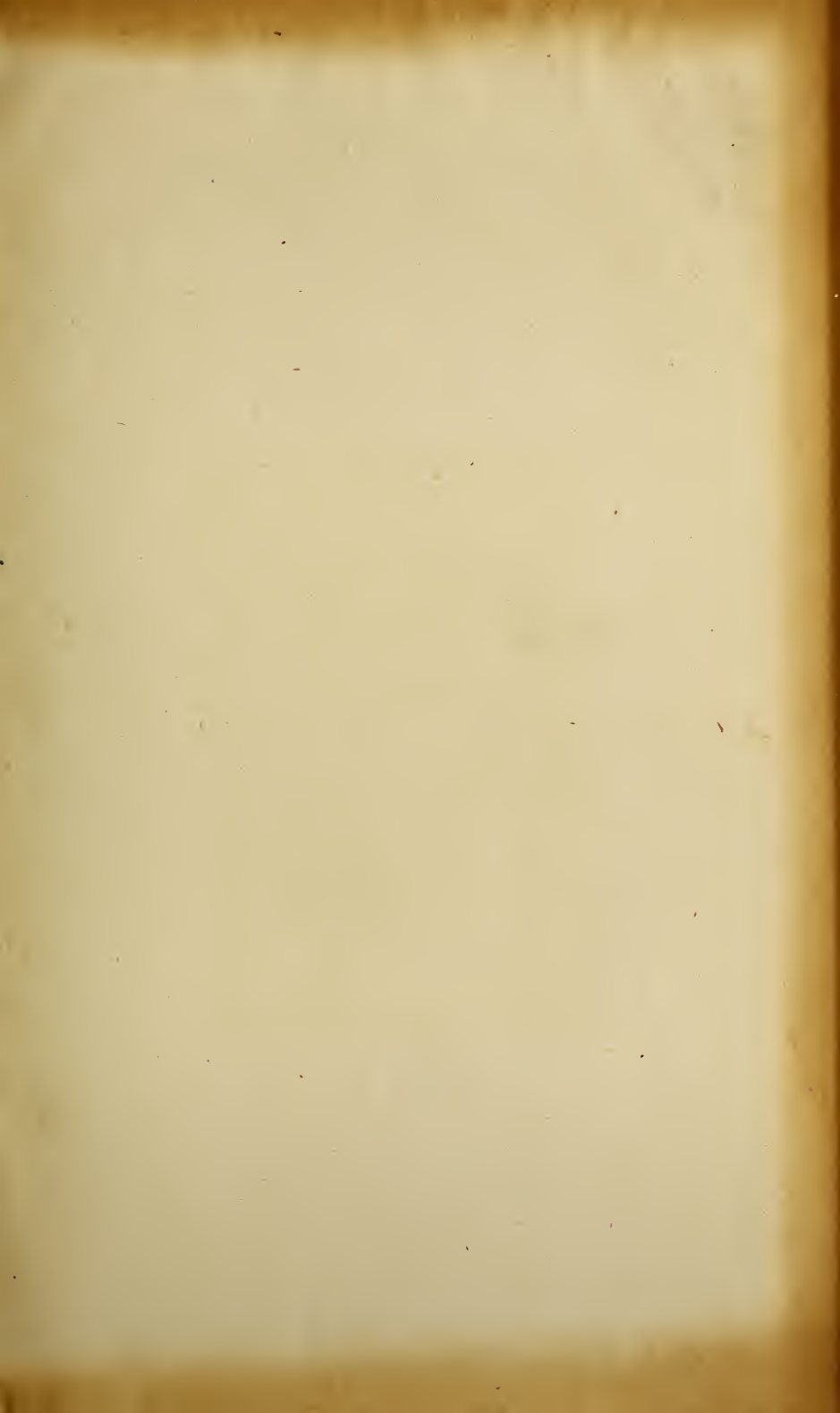


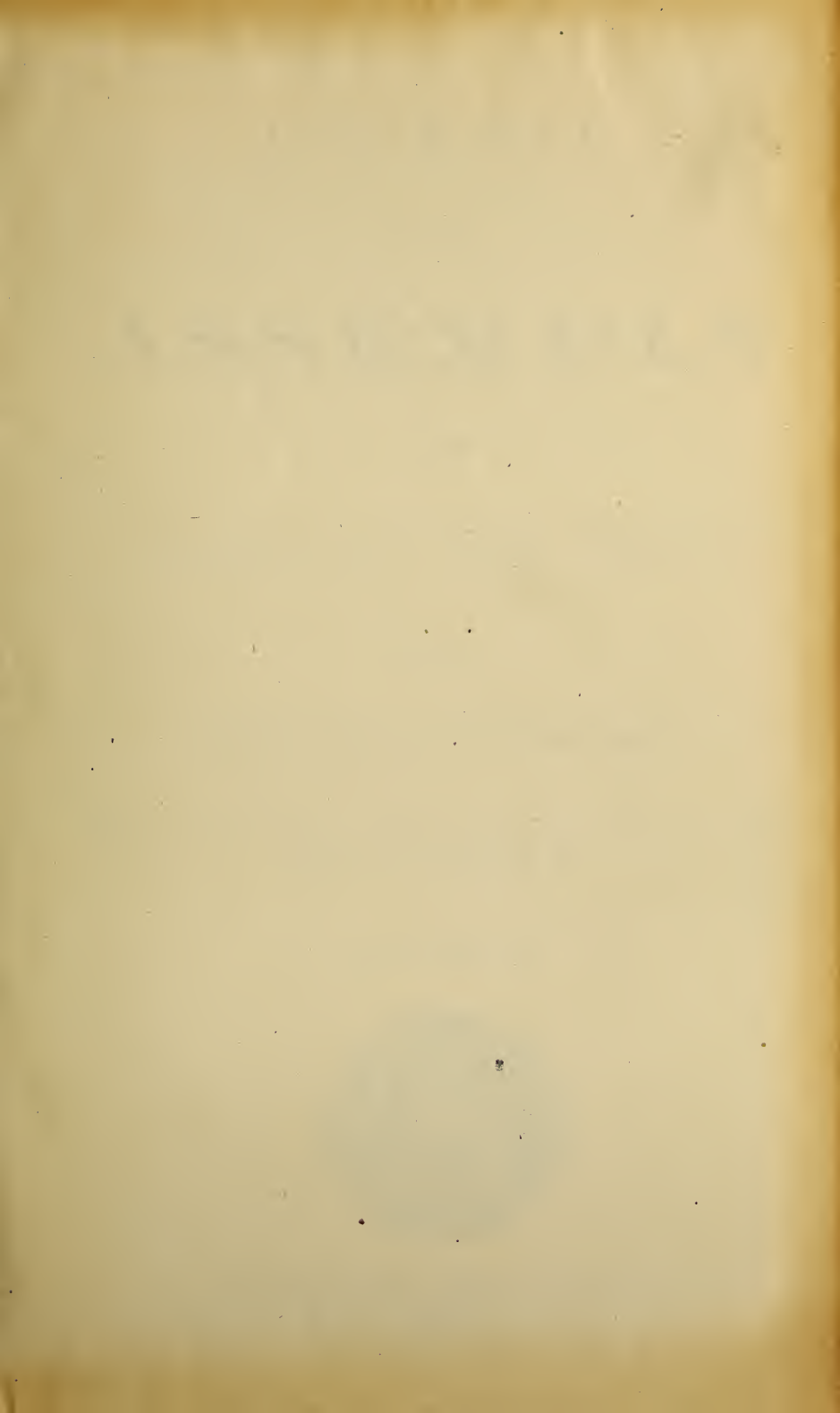
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OF THE

OF THE

AT THEIR

ONE HUNDRED AND TWELFTH SESSION.

BEGUN AND HELD AT THE CAPITOL, IN THE CITY OF ALBANY, ON THE
FIRST DAY OF JANUARY, 1889.

VOLUME II.



THE TROY PRESS COMPANY, PRINTERS.

1889.

APRIL 5.]

village or villages to use the said tunnel or sewer for the purpose of draining or sewerage said village or villages at such reasonable rates and upon such conditions as may be agreed upon by said corporation and said local authorities; and, provided, further, that the power herein granted shall not in any sense be construed as permission to cross, intersect or infringe upon any part of the lands of the State reservation at Niagara. Said corporation shall also have power to hold, lease and convey lands or other property for the purposes of its business, and either upon such lands or elsewhere to accumulate, conduct, store, sell, lease, furnish, operate and supply the waters of the Niagara river taken from some points on the east shore thereof, at such points between the east line of lot 46, Mile Reserve (so called) and Port Day (so called) as may be most convenient, or the power to be developed from the flow of such water for fire, sanitary, municipal, domestic, manufacturing, agricultural, electrical or power purposes, and also shall have power by such hydraulic or electrical conductors, or other devices as shall be permitted by the common council of any city, the trustees of any village, or the highway commissioners of any town in or through which such conductors or other devices shall be constructed, operated or maintained, to conduct, convey and furnish such power to, through or in any town, village or city in the counties of Niagara and Erie.

§ 3. Section 5 of said chapter, as amended by chapter 489 of the Laws of 1886, is hereby further amended so as to read as follows:

§ 5. Books of subscription for the capital stock of the corporation shall be opened, under the direction of the trustees hereinafter named, subject to such rules and regulations as they shall prescribe. And the stock shall be considered personal property, and shall be assignable and transferable on the books of the company. And the trustees of such company may purchase lands, interests in lands and other property necessary for their business, and issue shares of the capital stock of such company in payment therefor to the amount of the value of such property, and the stock so issued shall be declared and taken to be full paid stock and not liable to any further calls, and the holders thereof shall only be subject to the same liabilities and have the same rights as other holders of full paid stock in said company, but in all statements and reports of the company to be published this stock shall not be stated or reported as being issued for cash paid into the company, but shall be reported in this respect according to the fact. The action of the incorporators of said company already taken in opening books of subscription for capital stock is hereby approved, provided that without prejudice to the continuing right of the company, in proper manner, to issue stock to the full amount already authorized, any subscriber or stockholder at any time within one year herefrom may surrender to the company his right, and the company may thereupon release his obligation, in respect of the unpaid portion of any subscription heretofore made by such stockholder, but such surrender and release shall be without prejudice to any existing claim or right of action against such corporation by any stockholder or creditor. Any and all shares of stock issued in consideration of any work of construction for the said company shall be so stated in the annual reports of the company. Said company shall

have power, by the vote of its directors, to secure the payment of any part of the price of any property purchased, by a mortgage or mortgages thereon; to borrow money and to issue bonds for its corporate purposes, and with the consent of the stockholders holding a majority of the stock of said company at a meeting called for that purpose to secure the payment of any such bonds issued or proposed to be issued by a mortgage or mortgages upon its property, rights, privileges and franchises.

§ 4. This act shall take effect immediately.

Mr. Speaker put the question whether the House would concur in said further amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Haffner	Maynard	Ryan
Ainsworth	Curtis	Hagan	McAdam	Saunders
Aspinall	Davidson	Haggerty	McCann	Savery
Baker, A. B.	Decker	Harwood	McCarren	Schaaff
Blake	Demarest	Hughes	McKenzie	Smith, T.
Blanchfield	Dinehart	Hunting	McLaughlin	Stevens
Brown	Dunlap	Husted	McMaster	Towne
Brownell	Edwards	Kent	Mead	Treadway
Bush, R. P.	Endres	Kimball	Mesick	Upson
Carson	Fish	Lane	Miller	Van Gorder
Clark, J.	Fitts	Le Roy	Moffitt	Walters
Clarke, C. C.	Flaherty	Lewis	Moody	West
Comstock	Graham	Little	O'Neil	Whipple
Connelly	Greene	Loder	Rhodes	Yates
Cottrell	Groat	Martin	Rice	Young
Cronin	Guenther	Mase		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their further amendments.

The Senate sent for concurrence the following entitled bills:

"An act to create two additional local inferior courts in the city of Brooklyn" (Rec. No. 234), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. McCarren, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and committed to the committee on affairs of cities, retaining its place on the order of third reading.

"An act to amend section 6 of chapter 2 of title 9 of chapter 461 of the Laws of 1871, entitled 'An act to revise the charter of Long Island City'" (Rec. No. 235), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cronin, and by unanimous consent, said bill was substituted for Assembly bill No. 624, now on the order of third reading and in committee on affairs of cities.

"An act to amend section 3 of chapter 439 of the Laws of 1884, entitled 'An act for the better protection of life and property upon the railroads of this State, to promote the safer and better management of steam railroads' (Rec. No. 236), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act for the incorporation of ichthyological societies" (Rec. No. 237), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cronin, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

"An act providing for the erection and construction of buildings and the construction of sewers, roads and water mains on the Kings county farm at St. Johnland, Long Island" (Rec. No. 238), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to amend section 2143 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, etc.'" (Rec. No. 239), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to reserve certain parts of Prospect park, in the city of Brooklyn, from sale, and to authorize leases thereof for art and science museums and libraries" (Rec. No. 240), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Sperry, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and committed to the committee on affairs of cities, retaining its place on the order of third reading.

"An act to amend section 2 of chapter 353 of the Laws of 1884, entitled 'An act relating to corporations, associations and societies engaged in life or casualty insurance business upon the cooperative or assessment plan, pursuant to the provisions of chapter 175 of the Laws of 1883, as amended by chapter 167 of the Laws of 1887'" (Rec. No. 241), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 171, entitled "An act to amend chapter 631 of the Laws of 1887, entitled 'An act conferring jurisdiction upon the Board of Claims to rehear the claim of James O'Brien, against the State, and to make an award therein'" (Rec. No. 72), for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

On motion of Mr. Husted, and by unanimous consent, the committee of the whole was discharged from the further consideration of

the bill (No. 671), entitled "An act to provide for the location of a new State prison, and for the removal of the present State prison from Sing Sing," and the same was ordered to a third reading, and referred to the committee on revision.

The House resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bill entitled as follows :

"An act to provide for the inspection of meats intended for human food, and to provide for the appointment of inspectors thereof." (No. 1008.)

After some time spent therein, Mr. Speaker resumed the chair, and Mr. Kimball, from said committee, reported progress on the same, and asked and obtained leave to sit again.

Mr. Ainsworth moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Nixon moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 55 }
{ NOES 40 }

Those who voted in the affirmative, were

Baker, A. B.	Cottrell	Guenther	Martin	Pearsall
Baker, A. H.	Creamer	Haffner	Mase	Ryan
Blake	Cronin	Hagan	Maynard	Saunders
Blanchfield	Davidson	Harwood	McAdam	Schaaff
Blumenthal	Demarest	Hornidge	McCann	Sheldon
Brownell	Dinehart	Husted	McKenzie	Smith, T.
Carson	Duffy	Kerrigan	Mead	Tefft
Cheney	Endres	Lane	Moody	Towne
Clark, J.	Enz	Larmon	Mullaney	Upson
Comstock	Fish	Lewis	Newschafer	West
Connelly	Flaherty	Little	Nixon	Young

Those who voted in the negative, were

Acker	Decker	Groat	Loder	Rhodes
Ainsworth	Dinkelspiel	Haggerty	McCarren	Roesch
Bauer	Donaldson	Hitt	McLaughlin	Saxon
Bush, G. H.	Dunlap	Hughes	McMaster	Sheehan
Clarke, C. C.	Edwards	Hunting	Mesick	Sperry
Coon	Fitts	Kelly	Miley	Walters
Crosby	Graham	Kent	Murray	Yates
Curtis	Greene	Kimball	O'Neil	Youngman

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill Int. No. 564, entitled "An act to abolish the office of railroad commissioner in and for the town of Milford, in the county of Otsego, and to

provide for the disposition of the moneys remaining in the hands of the persons heretofore occupying that office," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the following entitled bill:

"An act to revise, amend and consolidate the several acts in relation to the city of Hudson, and to revise and amend the charter of said city" (Rec. No. 242), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Crosby, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and committed to the committee on affairs of cities, retaining its place on the order of third reading.

Mr. Ainsworth moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

The Senate returned the bill entitled "An act to amend an act entitled 'An act to facilitate State commerce by increasing and improving the lockage capacity of the Erie and Oswego canals, and to improve the Erie, Oswego, Black river, Champlain and Cayuga and Seneca canals, and providing for the construction of a basin at Havana, and the opening of the Seneca lake level of the Chemung canal to navigation," with a message that they consent to the appointment of a committee of conference thereon, and have appointed as such committee on the part of the Senate, Senators Laughlin, Raines and McNaughton.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Husted, Int. No. 1154, entitled "An act to improve the sanitary condition of the Capitol, and making an appropriation therefor," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Larmon, Int. No. 390, entitled "An act for the assessment and taxation of real and personal property and for equalizing taxation thereon," reported in favor of the passage of the same (Messrs. Husted and Dinkelspiel dissenting), which report was agreed to and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Murphy, Int. No. 174, entitled "An act to amend chapter 528 of the Laws of 1888, entitled 'An act to amend chapter 71 of the Laws of 1884, entitled An act to authorize the use of State armories by associations of discharged soldiers,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Husted, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

Mr. Husted, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Kellogg, Int. No. 233,

entitled "An act to provide for the erection of a State armory at the village of Glens Falls, in the county of Warren, and making an appropriation therefor," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Barton, said bill was substituted for Assembly bill No. 874, now on the order of third reading.

Mr. Crosby moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 697 of the Laws of 1887, entitled 'An act to lay out and establish an exterior street along a portion of the East river in the city of New York, and to alter the map or plan of the city of New York to conform thereto'" (No. 674), reported the same with the recommendation that it be amended as follows:

Section 1, line 1; strike out the words "and five."

Same section, line 5, strike out the word "are" and insert the word "is" in place thereof.

Same section, line 29, insert at the end thereof the words "section 5 of said act is hereby amended so as to read as follows":

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn, amending the arrearage law'" (No. 933), reported the same with the recommendation that it be amended as follows:

Section 1, line 18, change the word "and" to "any."

Section 2, line 42, strike out the word "descendant" and insert the word "decedent" in place thereof.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 865 of the Laws of 1871, entitled 'An act to incorporate the Young Men's Christian Association of the city of Schenectady,' and to restrict the power of the trustees of said association to mortgage its real estate, and to prescribe the manner in which mortgages thereon may be hereafter made" (No. 625), reported the same with the recommendation that it be amended as follows:

Section 1, lines 4 and 5, after the word "Schenectady" strike out all down to and including the word "seventy-one."

Section 2, line 1, strike out the words "following shall be added to the" and insert the word "said" in place thereof; also, after the word "hereby" insert the word "further," and after the word "amended" insert the words "by adding at the end thereof a new section."

Same section, line 2, strike out the words "of said act," and insert at the end of line the words "which act shall read as follows."

Amend the title by striking out all after the word "Schenectady."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act in relation to assessments for local improvements in certain incorporated villages" (No. 775), reported the same with the recommendation that it be amended as follows:

Section 2, line 7, after the word "improvement" insert the words "and upon which."

Same section, line 8, strike out the words "which shall."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to provide for the establishment of a reformatory for women" (No. 830), reported the same with the recommendation that it be amended as follows:

Section 5, line 27, strike out the word "him" and insert the words "the comptroller" in place thereof.

Section 8, line 6, insert after the word "term" the words "not more than;" strike out the word "of" before the word "five."

Make subdivision 1 of section 8 a section, to be numbered "§ 9." Spell "commitment" with one t.

Make subdivision 2 of section 8 a section, to be numbered "§ 10."

Make subdivision 3 "§ 11."

Add at end of subdivision 3, section 8, as printed, the words: "But such warrant must first be indorsed by a magistrate of the county in which the person is who is sought to be arrested, and such person must be taken before the nearest justice of the peace, a magistrate, for examination into the facts, if she so requests."

Change "§ 9" to "§ 12."

Change "§ 10" to "§ 13."

Make subdivision 1, of section 10, as printed, "§ 14."

Strike out the words beginning with "or some other" in line 21, page 6, down to and including the word "county" in line 22.

Line 23, page 6, strike out all after the word "magistrate" down to and including the word "and" in line 24.

Same line, after the word "with" insert the words "in accordance with the facts."

Make subdivision 2, page 7, "§ 15."

Make subdivision 3, same page, "§ 16."

Make "§ 11" "§ 17," and add at the end thereof the words: "But in cases of commitment like those mentioned in section 16, the said board of managers shall designate a woman of suitable age, discretion and character, to accompany the person committed, along with the officer or representative authorized in this section to be employed by said managers."

Make section 12, page 8, "§ 18."

Also change "§ 13" to "§ 19."

Change "§ 14" to "§ 20." Insert after the word "act," line 2 of

this section, the words "out of any money in the treasury not otherwise appropriated."

Same section, line 3, change "r" in word "or" to "f."

Change "§ 15" to "§ 21."

Amend title by adding the words, "and making an appropriation therefor."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend section 15 of chapter 436 of the Laws of 1880, entitled 'An act to establish a police department in the city of Buffalo, and to provide for the government thereof'" (No. 617), reported the same with the recommendation that it be amended as follows:

Section 1, line 16, after the word "beginning" insert the words "with each day of such leave."

Same section, line 18, after the word "granted" insert the words "but such leave shall not embrace two successive days."

Amend the title by striking out the words "section fifteen of."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend section 2 of chapter 474 of the Laws of 1887, entitled 'An act to amend chapter 230 of the Laws of 1882, entitled 'An act to incorporate the Franklin Loan and Trust Company of the city of New York,'" reported the same with the recommendation that it be amended as follows:

Section 1, line 1, after the word "section" strike out the word "two" and insert the word "nine" in place thereof."

Same section, lines 1, 2 and 3, after the word "chapter" strike out all down to and including the word "amend" in line 3.

Same section, line 5, after the words "New York" insert the words "as amended by chapter 474 of the Laws of 1887," and after the word "hereby" insert the word "further."

Same section, strike out all of line 7.

Same section, line 58, after the word "or," first time occurring, insert the word "of."

Amend the title by striking out all after the word "amend" in line 1, down to and including all of line 3.

Insert at the end of title the words "as amended by chapter 474 of the Laws of 1887."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 535 of the Laws of 1888, entitled 'An act to incorporate the city of Middletown'" (No. 808), reported the same with the recommendation that it be amended as follows:

Section 1, line 12, strike out the word "appointed."

Section 2, line 1, strike out the word "said," first occurring.

Same section, line 9, strike out the word "appointed."

Same section, line 14, strike out the word "of."

Section 3, lines 9 and 10, strike out the words "with the consent of the common council."

Section 4, line 1, strike out the word "said" first occurring.

Same section, line 4, strike out the word "is" and insert the word "are" in place thereof.

Section 7, line 1, strike out the word "said," first occurring.

Same section, line 11, strike out the word "nor," and insert the word "or" in place thereof.

Same section, line 12, strike out the word "nor" and insert the word "or" in place thereof.

Same section, line 15, strike out the word "under" and insert the word "until" in place thereof.

Section 8, line 7, strike out the word "hereinafter."

Section 9, line 26, strike out the word "serving" and insert the words "to serve" in place thereof.

Section 10, line 1, strike out the word "said."

Section 11, line 18, strike out the word "shall" and insert in place thereof the words "do not."

Section 12, lines 8 and 9, strike out the words "by law."

Section 14, line 1, strike out the word "said."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendation:

"An act to prevent deception in the sale of lard, and to preserve the public health." (No. 905.)

"An act to amend chapter 28 of the Laws of 1883, entitled 'An act to grant to Charles O. Scott certain land under water of Niagara river for docks and commercial purposes.'" (No. 299.)

"An act to amend chapter 27 of the Laws of 1883, entitled 'An act to grant to the heirs of Nathan C. Winslow, deceased, certain land under water of the Niagara river for docks and commercial purposes.'" (No. 300.)

"An act to enforce the collection of taxes levied in the county of Rockland." (No. 562.)

"An act to enforce the collection of the taxes levied in the county of Wayne." (No. 566.)

"An act to confirm and legalize the official acts of the Evangelical Lutheran Zion church of Schenectady, and the official acts of the persons heretofore acting as trustees of said church, and to make valid certain deeds." (Int. No. 748.)

Ordered, That said bills be engrossed for a third reading.

Mr. Husted in the chair.

On motion of Mr. Fish, and by unanimous consent, the bill (No. 830) entitled "An act to provide for the establishment of a reformatory for women, and making an appropriation therefor," was read the third time.

Mr. Speaker put the question whether the House would agree to

the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Haffner	Martin	Pearsall
Ainsworth	Crosby	Hagan	Mase	Rhodes
Baker, A. B.	Curtis	Haggerty	McAdam	Rice
Baker, A. H.	Davidson	Harwood	McCann	Roesch
Bauer	Decker	Hitt	McCarren	Saunders
Blanchfield	Demarest	Hornidge	McKenzie	Saxton
Blumenthal	Dinkelspiel	Hunting	McLaughlin	Schaaff
Brownell	Duffy	Husted	McMaster	Sheehan
Bush, R. P.	Endres	Kelly	Mead	Sperry
Carson	Enz	Kent	Mesick	Stevens
Cheney	Fish	Kerrigan	Miley	Tefft
Clark, J.	Fitts	Kimball	Miller	Towne
Clarke, C. C.	Flaherty	Larmon	Moody	Upson
Connelly	Graham	Lewis	Mullaney	Van Gorder
Coon	Greene	Little	Murray	Whipple
Cottrell	Groat	Loder	Nixon	Young
Creamer	Guenther			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Peck, from the subcommittee of the whole, presented a report in writing; which was laid upon the table and ordered printed.

(See Doc. No. 91.)

A message from the Senate was received and read in the words following:

To the Legislature:

The undersigned, appointed by the Senate and Assembly as a committee of conference relative to the matters of difference arising between the two Houses upon the Assembly bill entitled "An act to amend section 2 of chapter 416 of the Laws of 1888, entitled 'An act to facilitate State commerce by increasing and improving the lockage capacity of the Erie and Oswego canals, to improve the Erie, Oswego, Black River, Champlain and Cayuga and Seneca canals, and providing for the construction of a basin at Havana and the opening of the Seneca lake level of the Chemung canal to navigation'" (No. 964), report that they have duly conferred upon said matters, and agreed to recommend as follows:

Strike out in Senate amendment the word "concurrent," and also strike out the words "and the State Engineer and Surveyor" and the words "and the said State Engineer and Surveyor" in said Senate amendment, so that section 2, as amended, shall read as follows:

"§ 2. The furnishing of all materials for and the performance of the work of lock lengthening, provided for in this act, shall be done by contract entered into and duly executed by and between the said

Superintendent of Public Works and the contractor or contractors furnishing and performing the same, but the bottoming out of the Erie and Oswego canals shall be done under the direction and supervision of the Superintendent of Public Works, and in such manner, either by contract or otherwise as the said Superintendent of Public Works shall determine to be for the best interests of the State."

JOHN LAUGHLIN,
DONALD McNAUGHTON,
J. RAINES,

Senate Committee.

LE ROY ANDRUS,
JAMES W. HUSTED,
W. H. TEFFT,
W. F. SHEEHAN,
THOMAS J. CREAMER.

Assembly Committee.

IN SENATE, April 5, 1889.

Report of conference committee agreed to.

By order,

JOHN S. KENYON, *Clerk.*

Mr. Speaker put the question whether the House would agree to the report of the committee of conference, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 75 }
{ NOES 3 }

Those who voted in the affirmative, were

Acker	Creamer	Haffner	Mase	Rice
Ainsworth	Cronin	Hagan	Maynard	Roesch
Andrus	Jrosby	Haggerty	McAdam	Ryan
Baker, A. B.	Curtis	Harwood	McCann	Saunders
Baker, A. H.	Davidson	Hitt	McCarren	Saxton
Bauer	Duffy	Hornidge	McLaughlin	Schaaff
Blanchfield	Edwards	Huntting	McMaster	Sheehan
Blumenthal	Endres	Husted	Mead	Sheldon
Brownell	Enz	Kent	Mesick	Stevens
Bush, R. P.	Fish	Kerrigan	Miley	Tefft
Carson	Fitts	Kimball	Moody	Towne
Cheney	Graham	Larmon	Mullaney	Upson
Clarke, C. C.	Greene	Little	Murray	Van Gorder
Connelly	Groat	Loder	Nixon	Young
Coon	Guenther	Martin	Rhodes	Youngman

Those who voted in the negative, were

Decker McKenzie Whipple

Ordered, That the clerk return said bill to the Senate with a message that the Assembly have agreed to the report of the committee of conference thereon.

Mr. Saxton, from the committee on judiciary, reported a bill entitled "An act to repeal subdivision 11 of section 75 of chapter 6 of title 3 of part 2 of the Revised Statutes, relating to distribution of personal estate of intestates among relatives" (Int. No. 1171), which was read

the first time, and by unanimous consent was also read the second time.

On motion of Mr. Greene, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading, and referred to the committee on revision.

Mr. Saxton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Dunlap, Int. No. 799, entitled "An act to amend section 7 of chapter 318 of the Laws of 1878, entitled 'An act to amend chapter 466 of the Laws of 1877, entitled An act in relation to assignments of the estates of debtors for the benefit of creditors,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Saxton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Cottrell, Int. No. 3, entitled "An act to amend section 44 of the Penal Code, relating to bribery," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Saxton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Coon, Int. No. 1091, entitled "An act to authorize and empower Louisa Cota Smith to take, hold and convey property in the same manner and with the same effect as if a native-born citizen of the United States," reported in favor of the passage of the same, with amendments, which report was agreed to.

On motion of Mr. Coon, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and referred to the committee on revision.

Mr. Saxton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Husted, Int. No. 971, entitled "An act to incorporate the New York School of Anatomy in the city of New York," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Husted, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and referred to the committee on revision.

Mr. Saxton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Husted, Int. No. 610, entitled "An act to amend section 983 of the Code of Civil Procedure," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Husted, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and referred to the committee on revision.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Crosby, Int. No. 1011, entitled "An act to amend chapter 417 of the Laws of 1878, entitled 'An act to provide for the laying out and improvement of the public squares and places established in Fourth avenue in the city of New York, by chapter 528 of the Laws of 1873,'" reported in favor of the passage of the same, with amendments, which report was agreed to.

On motion of Mr. Crosby, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and referred to the committee on revision.

Mr. Crosby, from the committee on affairs of cities, reported in favor of the adoption of the following resolution:

Resolved, That the committee on affairs of cities be discharged from the further consideration of the bill introduced by Mr. Newschafer, Int. No. 577, entitled "An act to prevent and punish fraud in the sale of coal," and that the same be referred to the committee on general laws.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Savery, Int. No. 1104, entitled "An act to amend chapter 53 of the Laws of 1879, entitled 'An act to revise the charter of the city of Auburn, and the several acts amendatory thereof,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Kent, Int. No. 647, entitled "An act to amend chapter 314 of the Laws of 1874, entitled 'An act to establish a board of police and fire commissioners of the city of Utica, as amended by chapter 423 of the Laws of 1876, chapter 474 of the Laws of 1883, chapter 93, Laws of 1884, chapter 140, Laws of 1886, chapter 541, Laws of 1886, chapter 607, Laws of 1887, and to limit the amount to be expended by said board,'" reported in favor of the passage of the same, with amendments, which report was agreed to.

On motion of Mr. Kent, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on revision.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Kent, Int. No. 648, entitled "An act to amend chapter 18 of the Laws of 1882, entitled 'An act to revise the charter of the city of Utica, as amended by chapter 371 of the Laws of 1876, chapter 358 of the Laws of 1882, chapter 426 of the Laws of 1887, and chapter 87 of the Laws of 1888,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Kent, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and referred to the committee on revision.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Kent, Int. No. 649, entitled "An act to authorize the common council of the city of Utica to raise by tax and disburse money in providing an additional engine-house in said city," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Kent, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and referred to the committee on revision.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Cronin, Int. No. 741, entitled "An act to amend chapter 461 of the Laws of 1871, entitled 'An act to revise the charter of Long Island City,'" reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Kent, Int. No. 738, entitled "An act to create a board of park commissioners in and for the city of Utica," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hayes, Int. No. 804, entitled "An act to authorize the fixing of the salaries of patrolmen acting as precinct detectives of police in the city of New York," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Blumenthal, Int. No. 848, entitled "An act to amend chapter 565 of the Laws of 1887, entitled 'An act to provide for fixing and determining the salaries of the commissioners of docks in all cities of this State having, according to the last census, a population exceeding 800,000,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Cronin, Int. No. 816, entitled "An act to amend section 6 of chapter 2 of title 9 of the Laws of 1871, entitled 'An act to revise the charter of Long Island City,'" reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Senate bill No. 385 was substituted for this bill, and the Assembly bill was laid upon the table.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Haffner, Int. No. 925, entitled "An act to exempt the Berachah Mission in the city of New York from taxation and assessment," reported in favor of the passage of the same, with amendments, which report was agreed to.

On motion of Mr. C. C. Clarke, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on revision.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Le Roy, Int. No. 1107, entitled "An act to provide for raising money by tax for lighting the streets by gas or electricity in the city of Cohoes," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Savery, Int. No. 1103, entitled "An act to permit the city of Auburn to raise money to build a bridge and to supply the deficiency caused by the failure of the First National bank in said city," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Haggerty, Int. No. 728, entitled "An act to amend section 1 of title 19 entitled of local improvements,

chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,'" reported the same for the consideration of the House, with amendments, and said bill committed to the committee of the whole.

On motion of Mr. Crosby, it was ordered that said bill, when printed, be recommitted to the committee on affairs of cities.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Guenther, Int. No. 793, entitled "An act to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo, and the acts amendatory thereof,'" reported the same for the consideration of the House, and said bill committed to the committee of the whole.

On motion of Mr. Crosby, it was ordered that said bill, when printed, be recommitted to the committee on affairs of cities.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Andrus, Int. No. 863, entitled "An act to revise the charter of the city of Buffalo," reported the same for the consideration of the House, with amendments, and said bill committed to the committee of the whole.

On motion of Mr. Crosby, it was ordered that said bill, when printed, be recommitted to the committee on affairs of cities.

Mr. Crosby, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Coggeshall, Int. No. 82, entitled "An act to amend section 1 of chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica, as amended by chapter 387 of the Laws of 1875,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Kent, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Linson, Int. No. 196, entitled "An act to amend chapter 150 of the Laws of 1872, entitled 'An act to incorporate the city of Kingston,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Bush, and by unanimous consent, said bill was substituted for Assembly bill No. 780, now on the order of third reading.

Mr. Cottrell, from the committee on agriculture, to which was referred the bill introduced by Mr. Cottrell, Int. No. 469, entitled "An act to provide for and the establishment of dairy schools for the instruction of pupils in the science and art of dairy husbandry," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Towne, from the committee on claims, to which was referred the bill introduced by Mr. Upson, Int. No. 457, entitled "An act to authorize the Board of Claims to hear, audit and determine the claims against the State, of certain owners of water power, rights and privileges on the Oswego and Seneca rivers, for damages growing out of the action of the State in lowering the bed of Seneca river at and above Jacks Reefs, and to make awards therefor," reported in favor of

the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Towne, from the committee on claims, to which was referred the bill introduced by Mr. Comstock, Int. No. 1140, entitled "An act to provide for a hearing of the claims of J. W. Van Slyke and others for work and services performed for the State under the provisions of chapter 577 of the Laws of 1864," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Cheney, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Mesick, Int. No. 675, entitled "An act to authorize villages of the State of New York to establish water rates and collect the same," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading, and made a special order for Tuesday, April ninth.

Mr. Cheney, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Rhodes, Int. No. 1070, entitled "An act in relation to local improvements in the town of Westchester, and repealing section 3 of chapter 131 of the Laws of 1880," reported in favor of the passage of the same, with amendments, which report was agreed to.

On motion of Mr. Rhodes, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and referred to the committee on revision.

Mr. Cheney, from the committee on affairs of villages, to which was referred the bill introduced by Mr. McKenzie, Int. No. 1141, entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' relating to assessments," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Cheney, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Brownell, Int. No. 532, entitled "An act to amend chapter 505 of the Laws of 1873, entitled 'An act to reorganize the village of Gloversville, and the several acts amendatory thereof,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Andrus, from the committee on privileges and elections, submitted a report in the matter of the contest by Willis L. Brownell, for the seat in the Assembly held by Phillip T. Cronin, for the Second Assembly district of Queens county, which was laid upon the table and ordered printed.

(See Doc. No 92.)

Mr. Nixon, from the committee on internal affairs, to which was referred the bill introduced by Mr. Graham, Int. No. 236, entitled "An act to amend chapter 411 of the Laws of 1885, entitled 'An act relative to the assessment and collection of taxes, the disposition to be made of certain moneys collected, to legalize certain unpaid taxes, and to authorize the redemption of certain lands in towns within

counties containing upwards of 300,000 inhabitants," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Graham, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and referred to the committee on revision.

Mr. Nixon, from the committee on internal affairs, to which was referred the bill introduced by Mr. Savery, Int. No. 491, entitled "An act to amend an act entitled 'An act to provide for the drainage of certain low lands in the town of Ira, county of Cayuga, and in the town of Hannibal, county of Oswego, passed April 23, 1869,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Nixon, from the committee on internal affairs, to which was referred the bill introduced by Mr. Graham, Int. No. 644, entitled "An act to amend chapter 585 of the Laws of 1886, entitled 'An act to authorize the several towns of the State to elect a board of town auditors, and to prescribe their powers and duties,' as amended by chapter 488 of the Laws of 1888," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Nixon, from the committee on internal affairs, to which was referred the bill introduced by Mr. A. H. Baker, Int. No. 790, entitled "An act to enable the electors of the town of North Collins, in Erie county, to vote by districts in the election of town officers," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Nixon, from the committee on internal affairs, to which was referred the bill introduced by Mr. Harwood, Int. No. 940, entitled "An act to authorize the Niagara Hydraulic Electric Company, to erect machinery under the Niagara falls for the purpose of utilizing the water power of said falls for manufacturing electricity, and to erect the necessary machinery for the same," reported the same for the consideration of the House, and said bill committed to the committee of the whole.

On motion of Mr. Nixon, it was ordered that said bill, when printed, be recommitted to the committee on internal affairs.

Mr. Nixon, from the committee on internal affairs, to which was referred the bill introduced by Mr. Upson, Int. No. 944, entitled "An act to provide for clearing out the obstruction in the outlet of Beaver (or Mud) lake, in the town of Lysander, in the county of Onondaga, and for draining certain low lands adjacent thereto," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. McKenzie, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica, and the acts amendatory thereof.'" (No. 807.)

"An act to secure to children the benefits of an elementary education, and making an appropriation therefor." (No. 548.)

"An act to amend section 74 of article 5 of title 5 of chapter nine

of the first part of the Revised Statutes, relating to trespassers upon lands." (No. 864.)

"An act to amend section 84 of chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,' relating to notices by tax collector." (No. 845.)

"An act to authorize and empower the State Board of Claims to hear, audit and determine the claim of Steuben county for moneys expended in the prosecution and conviction of Thomas Redding, an inmate of the New York State Soldiers and Sailors' Home, for the murder of Patrick Dowling, a police sergeant at said home at Bath, and to include therein a reasonable compensation for the counsel for said Thomas Redding, and to make awards therefor" (No. 865.)

"An act to authorize the Board of Claims to hear, audit and determine the claim of John D. Hutchinson against the State of New York, and to make an award therefor." (No. 717.)

"An act to authorize the conveyance of real property by religious corporations." (No. 579.)

"An act to provide for the improvement of portions of Jackson avenue, Vernon avenue and the Boulevard, in Long Island City, and for the payment of the expenses thereof." (No. 786.)

"An act to provide for the completion of the north extension of the building in the Central park in the city of New York occupied by the Metropolitan Museum of Art." (No. 877.)

"An act to provide for the erection of a State armory at the village of Glens Falls, in the county of Warren, and making an appropriation therefor." (No. 874.)

"An act authorizing and empowering the board of supervisors of Kings county to appoint a stenographer to the coroners of said county, and to fix the salary of the same." (No. 883.)

"An act authorizing and empowering medical schools to acquire property." (No. 739.)

"An act for the preservation of certain ancient vaults and burial plots in Van Cortlandt park, in the Twenty-fourth ward of the city of New York, and in Pelham Bay park, in the county of Westchester." (No. 819.)

"An act to amend section 601 of the Penal Code, relating to receiving deposits in insolvent banks, and for the better protection of depositors in banks, investment, trust, life insurance, fidelity, casualty, mortgage, loan and guarantee companies and associations or with brokers." (No. 454.)

"An act to amend section 8 of article 1 of title 1 of chapter 8 of part 2 of the Revised Statutes, relating to the solemnization of marriage." (No. 543.)

"An act conferring jurisdiction upon the Board of Claims to hear, audit and determine certain claims against the State, and to make awards therefor." (No. 793.)

"An act to provide for the preliminary education of medical students." (No. 884.)

"An act to amend chapter 241 of the Laws of 1883, entitled 'An act to incorporate the International Committee of Young Men's Christian Associations.'" (No. 335.)

"An act to amend section 1638 of chapter 410 of the Laws of 1882,

entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the selection of grand jurors." (No. 581.)

"An act to amend chapter 368 of the Laws of 1865, entitled 'An act for the incorporation of societies or clubs for certain social and recreative purposes.'" (No. 844.)

"An act to increase the police force of the city of New York." (No. 881.)

"An act to authorize the Board of Claims to hear and determine the claim of the Marsh Land Company." (No. 794.)

"An act requiring the county clerks of each of the counties of this State to keep a register of the moneys directed by the judgments, decrees and orders of the courts to be deposited with the county treasurer of his county." (No. 484.)

"An act to incorporate the John Guy Vassar Orphan Asylum, in the city of Poughkeepsie." (No. 614.)

"An act to amend chapter 318 of the Laws of 1842, entitled 'An act in addition to the provisions of the Revised Statutes, regulating the collection of taxes, and the proceedings in relation to unpaid taxes.'" (No. 577.)

"An act to legalize the action of the town meeting of the town of Phelps, in the county of Ontario, in voting an appropriation for a centennial monument, and to authorize the raising of an additional amount by tax." (No. 868.)

"An act to authorize the Board of Claims to hear, audit and determine the claim of Charles M. Brown against the State of New York, and to make an award therefor." (No. 718.)

"An act further to amend chapter 395 of the Laws of 1873, entitled 'An act to alter the system of repairing the highways.'" (No. 488.)

"An act to prevent deception in sales of vinegar, and charging the New York State Dairy Commissioner with its enforcement." (No. 809.)

"An act to amend chapter 522 of the Laws of 1884, entitled "An act laying out public places and parks and parkways in the Twenty-third and Twenty-fourth wards of the city of New York and in the adjacent district in Westchester county, and authorizing the taking of the lands for the same." (No. 333.)

"An act for the relief of James C. Hale." (No. 839.)

Mr. A. H. Baker, from the committee on public health, to which was referred the bill introduced by Mr. McAdam, Int. No. 1055, entitled "An act to provide for labeling bottles, boxes or other receptacles containing oil or lard, of which cottonseed oil is a component part," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. A. H. Baker, from the committee on public health, to which was referred the bill introduced by Mr. Guenther, Int. No. 1080, entitled "An act to prohibit the refilling of barrels once used for sugar, flour, meal or confectionery, with any of said articles, for the purposes of sale, and to protect the public health," reported the same for the consideration of the House, and said bill committed to the committee of the whole.

On motion of Mr. Baker, it was ordered that said bill, when printed, be recommitted to the committee on public health.

Mr. A. H. Baker, from the committee on public health, to which was referred the Senate bill introduced by Mr. Erwin, Int. No. 208, entitled "An act to promote dairy agriculture of the State of New York," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Decker, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Husted, Int. No. 1124, entitled "An act to amend chapter 392, Laws of 1871, entitled "An act to incorporate the Southern New York Baptist Association," reported in favor of the passage of the same, which report was agreed to and said bill restored to its place on the order of third reading.

Mr. Decker, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Hornidge, Int. No. 1016, entitled "An act in relation to the board of trustees of the Congregation Ahawath Chesed of the city of New York," reported the same for the consideration of the House, and said bill committed to the committee of the whole.

The privileges of the floor were extended to Hons. William Dalton, W. D. Veeder and C. F. Heard.

The Speaker and Clerk referred the following entitled bill to the subcommittee of the whole:

"An act to authorize the Board of Claims to hear, audit and determine the claims of Milton Pelton, Willis Edson, O. A. Howe, George P. Bassett, James A. Francisco, Phelps Knapp, Daniel Miller, Martin Gillett, Asahel Brainard, Jason Gregory, Willard Fuller, James B. Fuller, Jarvis A. Fuller, Nathan H. Fuller, William Baker, Jr., John Sprague, Chester Fuller and Anson B. Fuller, for bounty, under chapter 29 of the Laws of 1865, and the several acts amendatory thereof, and to make an award thereon." (No. 898.)

The Senate returned the following entitled bills:

"An act to establish a State Meteorological Bureau and Weather Service, and to make an appropriation therefor." (No. 7.)

"An act to amend chapter 558 of the Laws of 1888, entitled 'An act to provide for the construction of fish-ways in the dam across the Chittenango creek, near the village of Bridgeport, Madison county, N. Y.'" (Int. No. 921.)

"An act to amend chapter 83 of the Laws of 1886, entitled 'An act to incorporate the Niagara River Hydraulic, Tunnel, Power and Sewer Company of Niagara Falls, N. Y.'" (Int. No. 712.)

"An act to amend an act entitled 'An act to facilitate State commerce by increasing and improving the lockage capacity of the Erie and Oswego canals, and to improve the Erie, Oswego, Black River, Champlain and Cayuga and Seneca canals, and providing for the construction of a basin at Havana, and the opening of the Seneca lake level of the Chemung canal to navigation.'" (No. 964.)

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Hagan moved that this House do now adjourn until Monday evening next at 8.15 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, the House adjourned.

MONDAY, APRIL 8, 1889.

The House met pursuant to adjournment.

Mr. Saxton in the chair.

Prayer by Rev. Russell Woodman.

On motion of Mr. McAdam, the journal of Friday, April 5, was approved without being read.

The Senate returned the bill entitled "An act making appropriations for the Hudson River State Hospital" (No. 840), with a message that they have concurred in the passage of the same with the following amendments:

Section 1, line 8, engrossed bill, after the word "for" insert the words "advances for."

Same section, line 12, strike out the word "twelve" and insert in place thereof the word "ten."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Haggerty	Mead	Schaaff
Ainsworth	de Peyster	Hitt	Mesick	Sheehan
Andrus	Dinehart	Hughes	Miley	Sheldon
Baker, A. H.	Dinkelspiel	Hunting	Moffitt	Smith, T.
Bauer	Donaldson	Husted	Moody	Sperry
Blanchfield	Duffy	Kent	Murray	Tefft
Blumenthal	Dunham	Kimball	Nixon	Treadway
Brown	Dunlap	Little	O'Neil	Upson
Brownell	Edwards	Loder	Pearsall	Van Gorder
Bush, R. P.	Endres	Longley	Peck	Walters
Cheney	Fish	Martin	Rhodes	Whipple
Clark, J.	Graham	Maynard	Roesch	Yates
Clarke, C. C.	Greene	McAdam	Ryan	Yetman
Comstock	Guenther	McCarren	Saunders	Young
Coon	Haffner	McKenzie	Savery	Youngman
Cottrell	Hagan	McLaughlin	Saxton	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate sent for concurrence the following entitled bills:

"An act to provide for a course of free instruction in art industrial education in the city of New York" (Rec. No. 243), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Saxton, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and to be read the third time Tuesday, April eleventh.

"An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' so far as relates to contracts'" (Rec. No. 244), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to amend chapter 611 of the Laws of 1875, entitled 'An act to provide for the organization and regulation of certain business corporations'" (Rec. No. 245), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 342 of the Laws of 1885, entitled 'An act for the better security of mechanics, laborers and others who perform labor or furnish materials for buildings and other improvements in the several cities and counties of this State, and to repeal certain acts and parts of acts'" (Rec. No. 246), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act further to amend chapter 140 of the Laws of 1850, entitled 'An act to authorize the formation of railroad corporations and to regulate the same,' as amended by chapter 601 of the Laws of 1886" (Rec. No. 247), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend sections 86 and 89 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in relation to the licensing of scalpers in coal freights" (Rec. No. 248), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to repeal section 1 of chapter 280 of the Laws of 1870, entitled 'An act to amend an act passed April 13, 1855, entitled An act in relation to the collection of taxes on lands of non-residents, and to provide for the sale of such lands for unpaid taxes'" (Rec. No. 249), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Andrus, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and committed to the committee on ways and means, retaining its place on the order of third reading.

"An act to grant to George A. Streeter and Albert Shear, their heirs, grantees and assigns, the right to build, construct and maintain a dam across the Mohawk river, between the State feeder dam and the first aqueduct of the Erie canal below the city of Schenectady, and to connect it with the bank of the canal feeder on the north side of the river, and to take and use the water from the pond formed by such dam for propelling machinery, and for manufacturing and mechanical purposes" (Rec. No. 250), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hitt, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and com-

mitted to the committee on canals, retaining its place on the order of third reading.

Mr. Haggerty offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 843, entitled "An act to amend sections 1141, 1142 and 1143 of the Code of Civil Procedure, relating to the drawing of jurors in Kings county," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The House resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bill entitled as follows:

"An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations." (No. 1027.)

After some time spent therein, Mr. Speaker resumed the chair, and Mr. Aspinall, from said committee, reported in favor of the passage of the same, with the following amendments:

Lines 24, 29 and 37, strike out the word "eighty-eight" and insert the word "eighty-nine."

Line 39, strike out the word "eighty-nine" and insert the word "ninety."

Line 78, after the word "in" insert the words "the year."

Line 157, strike out the words "Allegany and."

Line 160, strike out the words "Cattaraugus and."

Line 164, after the word "of," first occurring, strike out the words "canal or."

Lines 164 and 165, after the word "channel" strike out the words "between the waters of Shinnecock bay and those of" and insert in place thereof the words "in the."

Line 165, after the word "Peconic" strike out the word "bay" and insert the word "river."

Lines 168, 169 and 170, after the words "one thousand" insert the word "dollars."

Line 169, strike out the word "on," second occurring, and insert the word "one."

Line 268, after the word "mandamus" strike out the word "resist" and insert the word "proceedings."

Line 270, after the word "hundred" insert the words "and fifty."

Line 320, change the word "brich" to "brick."

Line 339, strike out the word "trustees" and insert the word "managers."

Line 412, after the word "Jersey" insert the word "and."

Line 418, change the word "thirty" to "thirtieth."

Line 456, after the words "camp ground" insert the words "at Peekskill."

Line 539, change the word "thirty" to "thirtieth."

Lines 559, 560, 561 and 562, strike out the words "For advances by the Comptroller to the clerks of the Senate and Assembly for con-

tingent expenses of the Legislature, and for the purchase of file boards, known as the Keystone file, for the use of the Senate and Assembly, \$3,000, or as much thereof as may be necessary."

Line 565, strike out the word "two" and insert the word "four."

Line 568, change the word "thirteenth" to "thirtieth."

Page 23, after line 614, insert the following:

"For the State Normal and Training School at Fredonia, for additions to the present building, to provide new school-rooms, work-rooms, chapel and boiler-house, for raising present chapel roof, for second story and dividing same into school-rooms, and for additional heating and ventilation, \$49,000, or so much thereof as may be needed to be expended by the local board of managers of said school after plans and specifications and a contract with proper securities for the completion of the same within the sum hereby appropriated shall have been approved by the said local board of managers, by the Superintendent of Public Instruction, and by the Comptroller."

Line 632, strike out the word "thousand" and insert the word "hundred."

Line 655, change the word "thirty" to the word "thirtieth."

Which report was agreed to, and said bill ordered to a third reading and referred to the committee on revision.

On motion of Mr. Ainsworth, and by unanimous consent, said bill was made a special order for Thursday morning, immediately after the reading of the journal.

The Senate returned the bill entitled "An act to authorize the repairing of the broken culvert under the old canal in the village of Holley, Orleans county, or the construction in its place of a new passage for water, and the removal of the dams put in the canal to prevent the water from flowing out at said broken culvert, and making an appropriation therefor" (No. 570), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill No. 843, entitled "An act to amend sections 1141, 1142 and 1143 of the Code of Civil Procedure, relating to the drawing of jurors in Kings county," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The privileges of the floor were extended to Hon. J. C. Davis, E. T. Benedict, John Quinn and Clemence Smith.

Mr. Tefft presented a petition relative to the sale of cigarettes and tobacco to children; which was referred to the committee on public health.

The hour of 10 o'clock having arrived, the House adjourned.

TUESDAY, APRIL 9, 1889.

The House met pursuant to adjournment.

Mr. Husted in the chair.

Prayer by Rev. Henry M. King.

On motion of Mr. McMaster, the journal of yesterday was approved without being read.

Mr. Speaker announced the special orders of the day.

The bill (No. 477) entitled "An act to authorize villages of the State of New York to establish water rates and collect the same," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Haffner	Maynard	Savery
Ainsworth	Crosby	Hagan	McAdam	Saxton
Andrus	Decker	Haggerty	McCann	Schaaff
Baker, A. B.	Demarest	Hamilton	McKenzie	Sheehan
Bauer	de Peyster	Hayes	McLaughlin	Smith, T.
Blanchfield	Dinkelspiel	Huntting	McMaster	Sperry
Blumenthal	Donaldson	Husted	Mead	Stevens
Brownell	Duffy	Kelly	Mesick	Strassburg
Bush, G. H.	Dunlap	Kent	Miley	Sullivan
Bush, R. P.	Endres	Kerrigan	Moody	Townsend
Carson	Enz	Kimball	Murray	Treadway
Clark, J.	Fish	King	Pearsall	Walters
Connelly	Fitts	Lane	Peck	West
Coon	Graham	Loder	Reesch	Yates
Cottrell	Groat	Longley	Ryan	Young
Creamer	Guenther	Martin	Saunders	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 999) entitled "An act to establish a normal and training school at the village of Whitesboro, in the county of Oneida, and to make an appropriation therefor," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 77 }
{ NOES 3 }

Those who voted in the affirmative, were

Acker	Davidson	Huntting	McMaster	Sheehan
Ainsworth	Demarest	Husted	Mead	Sheldon
Baker, A. B.	Dinkelspiel	Kelly	Mesick	Smith, M. A.

Baker, A. H.	Donaldson	Kent	Miley	Smith, T.
Bauer	Dunlap	Kerrigan	Moffitt	Stevens
Blanchfield	Enz	Kimball	Moody	Strassburg
Brownell	Fish	Larmon	Murray	Sullivan
Bush, R. P.	Fitts	Loder	Nixon	Tefft
Carson	Graham	Longley	O'Neil	Towne
Cheney	Groat	Maynard	Rhodes	Townsend
Clarke, C. C.	Guenther	McAdam	Ryan	Treadway
Connelly	Haffner	McCann	Saunders	West
Cottrell	Haggerty	McCarren	Savery	Whipple
Cronin	Hayes	McKenzie	Saxton	Yates
Curtis	Hitt	McLaughlin	Schaaff	Young
Dante	Hughes			

Those who voted in the negative, were

Crosby King Pearsall

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 307), entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction, and chapter 248 of the Laws of 1878, entitled An act in relation to the election of officers in certain school districts, and chapter 210 of the Laws of 1880, entitled An act to provide for the dissolution of union free school districts in certain cases, and the several acts amendatory thereof and supplementary thereto, relating to the time for holding the annual meeting and elections in the school districts of this State, and reports of commissioners,'" having been announced for a third reading,

On motion of Mr. Peck, and by unanimous consent, the same was amended as follows:

Section 9, line 9, after the word "year" add the words "The proceedings of no such special meeting shall be held illegal for want of a due notice to all the persons qualified to vote thereat unless it shall appear that the omission to give such notice was willful and fraudulent."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Hughes	McCarren	Saxton
Andrus	Crosby	Hunting	McKenzie	Schaaff
Aspinall	Davidson	Husted	McMaster	Sheehan
Baker, A. B.	Decker	Kelly	Mead	Sheldon
Baker, A. H.	Demarest	Kent	Miley	Smith, T.
Bauer	de Peyster	Kerrigan	Moffitt	Strassburg
Blumenthal	Dinkelspiel	Kimball	Moody	Sullivan

Bush, G. H.	Donaldson	King	Murray	Tefft
Bush, R. P.	Dunlap	Lane	Nixon	Towne
Carson	Enz	Larmon	O'Neil	Treadway
Cheney	Fitts	Loder	Pearsall	Van Gorder
Clarke, C. C.	Graham	Longley	Peck	Walters
Comstock	Groat	Mase	Rhodes	West
Connelly	Guenther	Maynard	Ryan	Whipple
Coon	Haffner	McAdam	Saunders	Young
Cottrell	Hitt	McCann	Savery	Youngman
Creamer				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1019) entitled "An act to authorize the Keeseville, Ausable Chasm and Lake Champlain Railroad Company to charge and collect rates of fare for passengers upon its railway," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 13 }

Those who voted in the affirmative, were

Acker	Crosby	Hagan	McKenzie	Sheldon
Ainsworth	Curtis	Hamilton	McLaughlin	Smith, M. A.
Aspinall	Davidson	Hitt	McMaster	Sperry
Baker, A. B.	Demarest	Hughes	Mead	Stevens
Baker, A. H.	de Peyster	Hunting	Mesick	Sullivan
Barton	Dinehart	Husted	Moffitt	Tefft
Blanchfield	Dinkelspiel	Kimball	Moody	Towne
Blumenthal	Donaldson	King	Mullaney	Townsend
Brownell	Duffy	Larmon	Nixon	Treadway
Bush, R. P.	Enz	Lewis	Peck	Van Gorder
Carson	Fish	Loder	Rhodes	Walters
Cheney	Fitts	Longley	Roesch	West
Clarke, C. C.	Flaherty	Martin	Saunders	Whipple
Connelly	Gallup	Mase	Saxton	Yates
Coon	Groat	Maynard	Schaaft	Yetman
Cottrell	Guenther	McAdam	Sheehan	Youngman
Creamer	Haffner	McCarren		

Those who voted in the negative, were

Andrus	Cronin	Graham	Newschafer	Ryan
Bauer	Decker	Kelly	Pearsall	Smith, T.
Bush, G. H.	Endres	Kent		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 927) entitled "An act transferring the powers conferred on the board of water commissioners of the village of Fredonia

by chapter 97 of the Laws of 1882, and conferring the same upon the board of trustees of said village," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Haffner	McCarren	Sheldon
Ainsworth	Coon	Hitt	McKenzie	Smith, C.
Andrus	Cottrell	Hughes	McLaughlin	Smith, T.
Aspinall	Crosby	Hunting	McMaster	Sperry
Baker, A. B.	Decker	Husted	Mead	Stevens
Baker, A. H.	Demarest	Kelly	Mesick	Sullivan
Barton	de Peyster	Kent	Moffitt	Tefft
Bauer	Dinehart	Kerrigan	Pearsall	Towne
Blanchfield	Dinkelspiel	Kimball	Peck	Treadway
Brown	Duffy	King	Rhodes	Van Gorder
Brownell	Endres	Larmon	Ryan	West
Bush, R. P.	Fish	Lewis	Saunders	Yates
Carson	Fitts	Loder	Savery	Yetman
Cheney	Graham	Longley	Saxton	Young
Clark, J.	Groat	Mase	Sheehan	Youngman
Clarke, C. C.	Guenther	Maynard		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 926) entitled "An act to amend chapter 614 of the Laws of 1887, entitled 'An act to establish a police pension fund for the city of Rochester,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Groat	McAdam	Sheehan
Ainsworth	Coon	Haffner	McCann	Sheldon
Aspinall	Cottrell	Hayes	McCarren	Smith, C.
Baker, A. B.	Cronin	Hitt	McKenzie	Sperry
Baker, A. H.	Dante	Hughes	McLaughlin	Stevens
Barton	Decker	Hunting	McMaster	Strassburg
Bauer	Demarest	Husted	Mesick	Treadway
Blanchfield	Dinehart	Kent	Moffitt	Van Gorder
Blumenthal	Donaldson	Kimball	Moody	Walters
Brown	Duffy	King	Mullaney	West
Brownell	Dunlap	Larmon	Murray	Whipple
Bush, G. H.	Endres	Lewis	Pearsall	Yates

Carson	Enz	Loder	Peck	Yetman
Cheney	Fish	Longley	Roesch	Young
Clark, J.	Fitts	Martin	Ryan	Youngman
Clarke, C. C.	Graham	Mase	Saunders	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 815) entitled "An act to authorize the purchase and distribution of the statistical publication showing the mortuary losses of each New York regiment during the war of the rebellion, and making an appropriation therefor," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Creamer	Hayes	McCarren	Schaaff
Ainsworth	Cronin	Hitt	McKenzie	Sheldon
Aspinall	Curtis	Hughes	McLaughlin	Smith, C.
Baker, A. B.	Dante	Huntting	Mead	Smith, M. A.
Baker, A. H.	Decker	Husted	Mesick	Smith, T.
Barton	Demarest	Kelly	Miley	Sperry
Blanchfield	Dinehart	Kimball	Moffitt	Strassburg
Brown	Dinkelspiel	Lane	Moody	Towne
Brownell	Duffy	Larmon	Mullaney	Treadway
Bush, G. H.	Endres	Lewis	Murray	Van Gorder
Bush, R. P.	Fish	Loder	Nixon	Walters
Carson	Fitts	Longley	Pearsall	West
Cheney	Flaherty	Martin	Peck	Whipple
Clark, J.	Graham	Mase	Ryan	Yates
Clarke, C. C.	Groat	Maynard	Saunders	Yetman
Comstock	Guenther	McAdam	Savery	Young
Coon	Haggerty	McCann	Saxton	Youngman
Cottrell				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 592) entitled "An act to authorize the Board of Claims to hear, audit and determine the claim or claims of William Fuller and sons against the State, and to make an award therefor," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Hughes	McKenzie	Sheldon
Ainsworth	Curtis	Huntting	McLaughlin	Smith, C.
Aspinall	Dante	Husted	Mead	Smith, M. A.

Baker, A. B.	Decker	Kent	Mesick	Smith, T.
Baker, A. H.	Demarest	Kimball	Moffitt	Stevens
Barton	Dinehart	Lane	Moody	Sullivan
Bauer	Dinkelspiel	Larmon	Murray	Towne
Brownell	Donaldson	Lewis	Newschafer	Treadway
Bush, G. H.	Dunlap	Loder	Nixon	Van Gorder
Carson	Endres	Longley	Pearsall	Walters
Cheney	Fish	Martin	Peck	West
Clark, J.	Fitts	Mase	Roesch	Whipple
Clarke, C. C.	Flaherty	Maynard	Saunders	Yates
Comstock	Groat	McAdam	Savery	Yetman
Connelly	Guenther	McCann	Saxton	Young
Coon	Hayes	McCarren	Schaaff	Youngman
Creamer	Hitt			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 680) entitled "An act to amend sections 716 and 725 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the department of docks," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Hitt	McKenzie	Sheldon
Ainsworth	Decker	Hughes	McLaughlin	Smith, C.
Andrus	Demarest	Hunting	Mead	Smith, M. A.
Aspinall	de Peyster	Husted	Mesick	Smith, T.
Baker, A. B.	Dinehart	Kent	Moffitt	Sperry
Barton	Donaldson	Kerrigan	Moody	Strassburg
Bauer	Duffy	Kimball	Murray	Sullivan
Blanchfield	Dunham	Larmon	Newschafer	Tefft
Brown	Endres	Lewis	Nixon	Treadway
Brownell	Enz	Loder	Pearsall	Van Gorder
Carson	Fitts	Longley	Roesch	Walters
Cheney	Flaherty	Martin	Saunders	West
Clarke, C. C.	Graham	Mase	Savery	Yates
Comstock	Groat	McAdam	Saxton	Yetman
Coon	Guenther	McCann	Schaaff	Young
Cottrell	Haffner	McCarren	Sheehan	Youngman
Creamer	Hayes			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (Rec. No. 133) entitled "An act to provide for the issue of bonds by the mayor, aldermen and commonalty of the city of

New York for expenses to be incurred by the department of public parks of said city in laying out a portion of Van Courtlandt park for the purposes of a military parade, camp and drill ground and rifle range, in pursuance of section 6, chapter 522 of the Laws of 1884," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Haffner	McCann	Saxton
Ainsworth	Creamer	Haggerty	McCarren	Schaaff
Baker, A. B.	Crosby	Hayes	McKenzie	Smith, M. A.
Baker, A. H.	Dante	Hughes	McLaughlin	Smith, T.
Barton	Demarest	Hunting	Mead	Stevens
Bauer	de Peyster	Husted	Mesick	Strassburg
Blumenthal	Dinehart	Kimball	Miley	Sullivan
Brownell	Edwards	Lane	Moffitt	Towne
Bush, R. P.	Endres	Larmon	Moody	Treadway
Carson	Fish	Lewis	Murray	Van Gorder
Cheney	Fitts	Loder	Newschafer	Walters
Clark, J.	Flaherty	Longley	Nixon	West
Clarke, C. C.	Gallup	Martin	Roesch	Yates
Comstock	Graham	Mase	Ryan	Yetman
Connelly	Groat	Maynard	Saunders	Young
Coon	Guenther	McAdam	Savery	Youngman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 614) entitled "An act to incorporate the John Guy Vassar Orphan Asylum, in the city of Poughkeepsie," having been announced for a third reading,

On motion of Mr. Mase, and by unanimous consent, the same was amended as follows:

(Reference to printed bill.)

Section 2, line 2, strike out the word "illegitimate" and insert the word "legitimate."

Section 6, strike out all of line 8.

Strike out all of section 7.

Change "§ 8" to "§ 7," and "§ 9 to § 8."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Hayes	McCarren	Saxton
Ainsworth	Crosby	Hitt	McKenzie	Schaaff
Andrus	Decker	Hughes	McLaughlin	Sheldon
Baker, A. B.	Demarest	Hunting	Mesick	Smith, T.
Baker, A. H.	Dinehart	Husted	Miley	Sperry
Bauer	Dinkelspiel	Kelly	Moffitt	Stevens
Blanchfield	Donaldson	Kent	Moody	Sullivan
Blumenthal	Edwards	Lane	Murray	Tefft
Brown	Endres	Larmon	Newschafer	Treadway
Brownell	Fitts	Lewis	Nixon	Van Gorder
Bush, R. P.	Graham	Longley	Pearsall	Walters
Carson	Greene	Martin	Peck	West
Cheney	Groat	Mase	Roesch	Yates
Clark, J.	Guenther	Maynard	Ryan	Yetman
Clarke, C. C.	Haffner	McAdam	Saunders	Young
Connelly	Haggerty	McCann	Savery	Youngman
Coon				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 980) entitled "An act to amend title 9 of chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Haggerty	McCann	Saxton
Andrus	Crosby	Hayes	McCarren	Sheldon
Aspinall	Curtis	Hughes	McKenzie	Smith, C.
Baker, A. B.	Davidson	Hunting	McLaughlin	Sperry
Bauer	Decker	Husted	Mead	Stevens
Blanchfield	Demarest	Kelly	Miley	Strassburg
Brown	Dinkelspiel	Kent	Moffitt	Tefft
Brownell	Dunlap	Kimball	Moody	Treadway
Bush, G. H.	Endres	King	Newschafer	Upson
Bush, R. P.	Fish	Lane	Pearsall	Van Gorder
Carson	Fitts	Larmon	Peck	West
Cheney	Graham	Lewis	Roesch	Yates
Clarke, C. C.	Greene	Longley	Ryan	Yetman
Comstock	Groat	Martin	Saunders	Young
Connelly	Guenther	Mase	Savery	Youngman
Coon	Haffner	McAdam		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 998) entitled "An act to establish a normal and training school, with an academic department, at the village of White Plains, in the county of Westchester, and to make an appropriation therefor," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 75 }
{ NOES 5 }

Those who voted in the affirmative, were

Acker	Cronin	Greene	McCann	Ryan
Ainsworth	Curtis	Groat	McCarren	Savery
Andrus	Davidson	Hagan	McKenzie	Sheldon
Aspinall	Demarest	Haggerty	McLaughlin	Smith, C.
Baker, A. B.	de Peyster	Hayes	McMaster	Smith, T.
Baker, A. H.	Dinehart	Hitt	Mead	Strassburg
Barton	Dinkelspiel	Hughes	Mesick	Sullivan
Bauer	Donaldson	Hunting	Moffitt	Tefft
Brown	Duffy	Husted	Moody	Townsend
Brownell	Dunlap	Kelly	Murray	Walters
Bush, R. P.	Enz	Loder	Newschafer	West
Carson	Fish	Longley	Nixon	Yates
Cheney	Fitts	Martin	O'Neil	Yetman
Clark, C. C.	Gallup	Maynard	Rhodes	Young
Creamer	Graham	McAdam	Rice	Youngman

Those who voted in the negative, were

Blumenthal	Crosby	Flaherty	King	Pearsall
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend section 1 of chapter 133 of the Laws of 1880, entitled 'An act to amend sections 9 and 28 of chapter 140 of the Laws of 1850, entitled An act to authorize the formation of railroad corporations and to regulate the same'" (No. 587), reported the same with the recommendation that it be amended as follows:

Section 1, line 1, strike out the word "one" and insert the word "nine."

Same section, lines 1, 2 and 3, strike out all after the word "chapter" in line 1, down to and including the word "chapter" in line 3.

Same section, line 5, after the word "same" insert the words "as amended by chapter 133 of the Laws of 1880."

Same section, strike out all of lines 7, 8, 9 and 10.

Amend the title so as to read as follows:

"An act to amend chapter 140 of the Laws of 1850, entitled 'An act to authorize the formation of railroad corporations and to regulate

the same,' and the acts amendatory thereof, relating to the increase of capital stock."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Said bill (No. 587) having been made a special order was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Haggerty	Mase	Roesch
Adams	Davidson	Hamilton	McAdam	Ryan
Andrus	Demarest	Hayes	McCann	Saunders
Baker, A. B.	Dinehart	Hughes	McCarren	Savery
Baker, A. H.	Dinkelspiel	Hunting	McKenzie	Saxton
Barton	Donaldson	Husted	McLaughlin	Strassburg
Blanchfield	Dunham	Kelly	McMaster	Sullivan
Brown	Dunlap	Kent	Mead	Towne
Brownell	Edwards	Kerrigan	Mesick	Townsend
Bush, R. P.	Fitts	Kimball	Miley	Treadway
Carson	Gibbs	King	Newschafer	Van Gorder
Cheney	Graham	Larmon	O'Neil	Walters
Clarke, C. C.	Greene	Lewis	Pearsall	Whipple
Comstock	Groat	Loder	Rhodes	Yetman
Connelly	Guenther	Longley	Rice	Young
Cronin	Haffner	Martin		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 435) entitled "An act to transfer the management and supervision of teachers' classes in academies and union schools from the Board of Regents to the Superintendent of Public Instruction" (Rec. No. 194), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Graham	Maynard	Savery
Andrus	Cottrell	Groat	McCann	Saxton
Baker, A. B.	Cronin	Guenther	McCarren	Schaaff
Baker, A. H.	Crosby	Haffner	McKenzie	Sheehan
Bauer	Dante	Hagan	McLaughlin	Smith, T.
Blanchfield	Davidson	Haggerty	Mesick	Stevens

Blumenthal	Demarest	Hughes	Moody	Strassburg
Brown	Dinehart	Huntting	Murray	Sullivan
Brownell	Dinkelspiel	Husted	Newschafer	Townsend
Bush, R. P.	Duffy	Kent	O'Neil	Upson
Carson	Dunlap	Kerrigan	Peck	Van Gorder
Cheney	Edwards	King	Rhodes	West
Clark, J.	Endres	Larmon	Rice	Whipple
Clarke, C. C.	Fitts	Lewis	Roesch	Yates
Comstock	Flaherty	Loder	Ryan	Yetman
Connelly	Gallup	Mase	Saunders	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 725), entitled "An act to provide for the erection of a hoist-bridge over the Erie canal in the city of Syracuse, and making an appropriation therefor," was read the third time.

Mr. Speaker, put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Haffner	Miley	Smith, T.
Andrus	Dante	Haggerty	Moody	Sperry
Baker, A. B.	Davidson	Hughes	Mullaney	Stevens
Baker, A. H.	Decker	Huntting	Murray	Strassburg
Barton	Dinehart	Husted	Newschafer	Sullivan
Bauer	Dinkelspiel	Kelly	Nixon	Tefft
Blanchfield	Donaldson	Kent	O'Neil	Townsend
Blumenthal	Dunlap	Larmon	Pearsall	Upson
Brown	Edwards	Lewis	Rice	Van Gorder
Brownell	Endres	Loder	Roesch	Walters
Bush, R. P.	Enz	Maynard	Saunders	West
Carson	Fitts	McCann	Savery	Yates
Cheney	Gallup	McCarren	Schaaff	Yetman
Clarke, C. C.	Graham	McLaughlin	Sheehan	Young
Connelly	Groat	McMaster	Sheldon	Youngman
Coon	Guenther	Mesick	Smith, M. A.	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 794) entitled "An act to authorize the Board of Claims to hear and determine the claim of the Marsh Land Company," having been announced for a third reading,

On motion of Mr. Sheehan, and by unanimous consent, the same was made a special order for to-morrow morning, immediately after the reading of the journal.

The privileges of the floor were extended to Hons. Charles P. McClelland, Washington Moses, Wm. J. Hines and James S. Allen.

Mr. Crosby presented several petitions relative to repaving the

Grand Boulevard with asphalt; which were referred to the committee on affairs of cities.

Mr. Crosby presented a petition relative to displaying the American flag on all school-houses during school hours; which was referred to the committee on public education.

On motion of Mr. Saxton, and by unanimous consent, the bill (No. 728) entitled "An act to secure more fully the independence of electors at public elections, to enforce the secrecy of the ballot and to provide for the printing and distribution of ballots at public expense," was announced for a third reading.

Mr. Greene moved to amend as follows:

Strike out all of sections 37 and 38 and add the following new sections, as sections 37, 38, 39, 40, 41 and 42.

§ 37. Section one of chapter five hundred and seventy-six of the Laws of one thousand eight hundred and eighty, entitled "An act to ascertain by proper proofs the citizens who shall be entitled to the rights of suffrage in cities of sixteen thousand inhabitants or upwards, and the towns or villages abutting against the boundary of any such cities," is hereby amended so as to read as follows:

§ 1. The inspectors of election in each of the towns of this State shall meet annually on the Tuesday three weeks preceding the general election at nine o'clock in the forenoon, at the place designated for holding the poll of said election, and organize themselves as a board for the purpose of registering the names of the legal voters of such district, and for this purpose they shall appoint one of their number chairman of the board, who shall administer to the other inspectors the oath or affirmation as required by the constitution, and the same oath shall then be administered to the chairman by one of the other inspectors. The said board shall then proceed to make a list of all persons qualified and entitled to vote at the ensuing election, in the election district of which they are inspectors. Said list when completed shall constitute and be known as the register of electors of said district. The said inspectors, at their first meeting on Tuesday, three weeks preceding the general election, shall have the power, if necessary, to sit two days for the purpose of making said list, provided that at the annual election next prior to said meeting, the number of voters in the district of which they are inspectors exceeded three hundred. No person shall be eligible as such inspector, unless he shall be a qualified voter within such election district, nor unless he can read, write and speak the English language understandingly. No building or part of a building shall be designated or used as a place of registry or polling-place in which, or any part of which, spirituous or intoxicating liquor is or has been sold within sixty days preceding the time of using the same. The said inspectors of election and registry shall also form a board of inspectors of election for the purpose of holding an election by appointing one of their number as chairman; but, it shall not be necessary for them to take any other or further oath of office than is herein provided for. The several officers of inspectors of registry and elections herein named are, and shall be in all courts and proceedings deemed and held respectively to be the election district officers. It shall be the duty of the said inspectors, respectively, to be in constant attendance during the hours allotted for the

discharge of their several duties, and any inspector who shall wilfully absent himself from his duties, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than twenty-five dollars or more than one hundred dollars.

§ 38. Section nineteen of said act is hereby amended so as to read as follows:

§ 19. This act shall not be construed to repeal or in any manner interfere with any general or special act for a registry of voters in any of the cities, villages or towns of this State.

§ 39. Section twenty of chapter five hundred and seventy-six of the laws of one thousand eight hundred and eighty, is hereby repealed.

§ 40. The title of said last-named act is hereby amended so as to read as follows: "An act to ascertain by proper proof the citizens who shall be entitled to the right of suffrage in towns and villages."

§ 41. All acts and parts of acts, inconsistent with the provisions of this act, are hereby repealed.

§ 42. This act shall take effect immediately.

Mr. Sheehan moved to strike out all after the enacting clause and substitute the following:

SECTION 1. At all elections for public officers within this State, either official or unofficial ballots may be used as hereinafter provided. At such elections there shall be printed and distributed at public expense, as hereinafter specifically provided, certain ballots which shall be known as official ballots. Political parties and candidates, as well as individual electors, may furnish their own ballots for the use of electors, which shall be known as unofficial ballots. The printing of official ballots and cards of instruction for the electors in each county, and the delivery of the same to the election officers, as hereinafter provided, shall be a county charge, the payment of which shall be provided for in the same manner as the payment of other county expenses, but the expense of printing and delivering the ballots shall in the case of municipal or town elections, be a charge upon the city, village or town in which such election shall be held.

§ 2. Any convention or primary meeting, as hereinafter defined, held for the purpose of making nominations to public office, and also electors to the number hereinafter specified, may nominate candidates for public office to be filled by election within the State. A convention or primary meeting within the meaning of this act is an organized assemblage of electors or delegates representing a political party which at the last election before the holding of such convention or primary meeting polled at least three per cent of the entire vote cast in the State, county or other division or district for which the nomination is made.

§ 3. All nominations made by such convention or primary meeting shall be certified as follows: The certificate of nomination, which shall be in writing, shall contain the name of each person nominated, his business, his business address and the office for which he is named, and shall designate in not more than five words, the party or principal which such convention or primary meeting represents. It shall be signed by the presiding officer and secretary of such convention or primary meeting, who shall add to their signatures their respective places of residence, their businesses and business addresses, and

make oath before an officer, qualified to administer the same, that the affiant were such officers of such convention or primary meeting, and that said certificate and the statements therein contained are true to the best of their knowledge and belief. A certificate that such oath has been administered shall be made and signed by the officer before whom the same was taken.

§ 4. Certificates of nomination of candidates for office, to be filled by the electors of the entire State, or of any division or district greater than a county shall be filed with the secretary of state. All other certificates of nomination shall be filed with the clerks of the respective counties wherein the officers are to be elected. The certificate of a nomination for member of assembly in the counties of Fulton and Hamilton shall be filed in the office of the county clerk of Hamilton county, and a copy thereof certified by said county clerk of Hamilton county, shall be filed in the office of the county clerk of Fulton county.

§ 5. Candidates for public office may be nominated otherwise than by a convention or primary meeting in the manner following: A certificate of nomination containing the name of a candidate for the office to be filled, with such information as is required to be given in certificates provided for by section three of this act, shall be signed by electors residing within the district or political division in and for which the officer or officers are to be elected, equal in number to at least three per cent of the entire vote cast at the last preceding election in the State, county or other division or district for which the nomination is to be made; provided, however, that the number of signatures so required need not exceed five thousand when the nomination is for an office to be filled by the electors of the entire State; and provided, also, that the said signatures need not all be appended to one paper. Each elector signing a certificate shall add to his signature his place of residence, his business and business address, and shall, before an officer duly authorized to take acknowledgments, acknowledge his signature, and make oath that he is an elector, and has truly stated his residence, business and business address. Such certificates, when executed and acknowledged as above prescribed, may be filed as provided for in section four in this act, in the same manner and with the same effect as a certificate of nomination made by a party convention or primary meeting.

§ 6. No certificate of nomination shall contain the name of more than one candidate for each office to be filled. No person shall join in nominating more than one person for each office to be filled; and no person shall accept a nomination to more than one office.

§ 7. The secretary of state shall cause to be preserved in his office all certificates of nomination filed therein under the provisions of this act; and each county clerk shall cause to be preserved in his office all certificates of nomination filed therein under the provisions of this act. All such certificates shall be open to public inspection, under reasonable regulations, to be made by the officers with whom the same are filed.

§ 8. Certificates of nomination, filed with the secretary of state, shall be filed not more than forty days nor less than twenty days before the day fixed by law for the election of the persons in nomina-

tion. Certificates of nomination herein directed to be filed with a county clerk shall be filed not more than thirty nor less than fifteen days before election, except in the case of village and town elections, when such nominations shall be filed not less than eight days before election.

§ 9. Not less than fifteen nor more than twenty days before an election to fill any public office, the secretary of state shall certify to the county clerk of each county within which any of the electors may by law vote for candidates for such office, the names and the description of each person nominated for such office as specified in the certificates of nomination filed with the secretary of state.

§ 10. At least seven days before an election to fill any public office, the county clerk of each county shall cause to be published in not less than two nor more than four newspapers within the county, the nominations to office certified to him under the provisions of this act. One of such publications shall be made in a newspaper which advocates the principles of the political party that at the last preceding election cast the largest number of votes; and another of such publications shall be made in a newspaper which advocates the principles of the political party that at the last preceding election cast the next largest number of votes. The county clerk shall make such publications daily in counties where daily newspapers are published; but if there be no daily newspaper published within the county, one publication in each newspaper shall be sufficient. Such publication shall be made in type of the same size and in the precise form and order of arrangement as to names and classification of candidates as that in which the ballot shall be printed for use upon election day.

§ 11. The county clerk of each county shall, at least seven days before election day, send to the town clerk of each town and to the alderman of each ward in any city therein, printed lists, one or more copies for each election district in such town or ward, containing the name, residence, business, business address, and party or political designation of each candidate nominated as hereinbefore provided to be voted for by the electors of the respective towns and wards. Such lists shall be conspicuously posted by such town clerk or alderman in one or more public places in each election district of each town or ward. The provisions of this section shall not apply to the city and county of New York.

§ 12. Whenever any person nominated for public office as in this act provided shall, at least ten days before the day of election, in a writing signed and executed with the formalities prescribed for the execution of an instrument to entitle it to record, notify the officer with whom the certificate nominating him is by this act required to be filed, that he declines such nomination, such nomination shall be void,

§ 13. Should any person so nominated die before election day, or decline the nomination, as in this act provided, or should any certificate of nomination be insufficient or inoperative, the vacancy or vacancies thus occasioned may be filled in the manner required for original nominations. If the original nomination was made by a party convention which had delegated to a committee the power to fill vacancies, such committee may, upon the occurring of such vacancies,

proceed to fill the same. The chairman and secretary of such committee shall thereupon make and file with the proper officer a certificate setting forth the cause of the vacancy, the name of the person nominated, the office for which he was nominated, the name of the person for whom the new nominee is to be substituted, the fact that the committee was authorized to fill vacancies, and such further information as is required to be given in an original certificate of nomination. The certificate so made shall be executed, acknowledged and sworn to in the manner prescribed for the original certificate of nomination, and shall upon being filed, at least eight days before election, have the same force and effect as an original certificate of nomination. When such certificate shall be filed with the Secretary of State he shall, in certifying the nominations to the various county clerks, insert the name of the person who has thus been nominated to fill a vacancy in place of that of the original nominee; and in the event that he has already sent forward his certificate he shall forthwith certify to the clerks of the proper counties the name and description of the person so nominated to fill a vacancy, the office he is nominated for, the party or political principle he represents, and the name of the person for whom such nominee is substituted.

§ 14. Whenever a proposed constitutional amendment or other question is to be submitted to the people of the State for popular vote, the Secretary of State shall duly, and not less than fifteen days before election, certify the same to the clerk of each county of the State, and the clerk of each county shall include the same in the publication provided for in section ten of this act.

§ 15. Except as in this act otherwise provided it shall be the duty of the county clerk of each county to provide printed official ballots for every election for public officers in which electors or any of the electors within the county participate, and to cause to be printed in the appropriate ballots for every candidate whose name has been certified to or filed with the county clerk in the manner provided for in this act; such ballots to be printed in accordance with existing provisions of law. Ballots containing the names of electors for president and vice-president shall be four inches in width, and all other ballots shall be three inches in width. Nothing in this act contained shall prevent any voter from writing or pasting upon his ballot the name of any person for whom he desires to vote for any office, and such vote shall be counted the same as if printed upon the ballot, and any voter may take with him into the polling place any printed or written memorandum or paper to assist him in marking or preparing his ballot, and may take with him any unofficial ballot that he may desire, and is at liberty to vote the same or to vote an official ballot, as he may elect.

§ 16. No political party, organization or committee shall make any assessment upon any candidate for the expenses of the printing of ballots, nor shall any candidate pay any such assessment; but any candidate is permitted voluntarily to pay his fair share of the *bona fide*, reasonable and actual expenses of the printing of his ballots, but not otherwise. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor.

§ 17. Whenever the Secretary of State has duly certified to any

county clerk any question to be submitted to a vote of the people, the county clerk shall prepare and distribute official ballots of such form as will enable the electors to vote upon the question so presented in the manner hereinafter provided. The county clerk shall also prepare the necessary ballots whenever any question is required by law to be submitted to the vote of the electors of any locality.

§ 18. The county clerk of each county shall provide for each election district in the county two hundred ballots of each kind to be voted in the district, for every fifty or fraction of fifty electors registered at the last preceding election in the district.

§ 19. Whenever it shall appear by affidavit that an error or omission has occurred in the publication of the names or description of the candidates nominated for office, or in the printing of the ballots, the supreme court of the State may, upon application of any elector, by order, require the county clerk to correct such error, or to show cause why such error should not be corrected.

§ 20. Before the opening of the polls the county clerk of the county shall cause to be delivered to the board of inspectors of election of said election district which is within the county, and in which the election is to be held, at the polling place of the district, the proper number of ballots of each kind to be used in the district.

§ 21. At the same time and in the same manner as inspectors of election are now appointed or elected, two additional inspectors of election for each election district in the State shall be appointed or elected. The said additional inspectors of election shall be paid in the same manner and at the same rate as inspectors of election are now paid. One of such additional inspectors of election shall belong to the political party that cast the highest number of votes at the preceding election in the State, and the other shall belong to the political party that cast the next highest number of votes at such election.

§ 22. All officers upon whom is imposed by law the duty of designating polling-places shall provide in each polling-place designated by them a sufficient number of places, booths or compartments, which shall be furnished with such supplies and conveniences as shall enable the voter conveniently to prepare his ballot for voting, and in which electors may prepare their ballots, screened from observation, and a guard rail so constructed that only persons within such rail can approach within ten feet of the ballot-boxes or the places, booths, or compartments herein provided for. The number of such places, booths, or compartments shall not be less than one for every fifty electors who voted at the last preceding election in the district. No person other than electors engaged in receiving, preparing, or depositing their ballots, or a person present for the purpose of challenging the vote of an elector about to cast his ballot, shall be permitted to be within said rail. In the city and county of New York the board of police commissioners shall provide such places or compartments and guard rail. The expense of providing such place or compartments and guard rails shall be a public charge, and shall be provided for in the same manner as the other election expenses. On or before the first day of September in each year the officers now charged by law with the division or alteration of election districts, shall as far as

necessary, alter or divide the existing election districts in such manner that each election district shall contain not more than three hundred voters.

§ 23. At any election the chairman of the board of inspectors of election shall appoint two of said inspectors, whose duty it shall be to deliver official ballots to qualified electors, one of such inspectors of election shall belong to the political party that cast the highest number of votes at the preceding election in the State, and the other shall belong to the political party that cast the next highest number of votes at such election. Each qualified elector shall be entitled to receive from the said inspectors one of each kind of the official ballots which may have been printed.

§ 24. On the receipt of his official ballots the elector shall forthwith and without leaving the polling place, retire alone to one of the places, booths or compartments provided to prepare his ballot. No elector is required to use any of the official ballots so furnished, but, instead thereof, may use the ballots which he brings with him, printed in accordance with the existing provisions of law, but, in either case, before voting, he shall retire alone to one of the places, booths or compartments provided to prepare his ballots. After preparing his official or unofficial ballots, as the case may be, the elector shall fold each of them so that the face of the ballot will be concealed, and so that the printed indorsement thereon may be seen. He shall then vote forthwith and before leaving the polling place. The chairman of the board of inspectors of election, upon receiving from the elector his ballots, shall before depositing the same in the boxes, stamp the same with the official stamp furnished by the Secretary of State as hereinafter provided. No ballots shall be deposited unless they are first so stamped as herein required. The Secretary of State shall prepare, and cause to be furnished to each board of inspectors of election an appropriate stamp, in such form, or according to such design, as he may direct, for use in stamping the ballots as hereinbefore required.

§ 25. Not more than one person shall be permitted to occupy any one booth at one time; and no person shall remain in or occupy a booth or compartment longer than may be necessary to prepare his ballot, and in no event longer than ten minutes, provided the other booths or compartments are occupied.

§ 26. Any voter, who shall by accident or mistake spoil his ballot may, on returning said spoiled ballot, receive another of the same kind in place thereof.

§ 27. Any elector who declares under oath to the inspectors of election having charge of the ballots that by reason of physical disability he is unable to prepare his own ballot, he shall be permitted to bring with him some person of his own selection, who shall retire with him to one of the booths or compartments and assist such disabled elector in the preparation of his ballot by marking the same as such elector shall dictate, and shall properly fold the same in order that it may be cast by such elector as his ballot. No elector other than the one who may, because of physical disability, be unable to mark his ballot, shall divulge to any one within the polling place the name of any candidate for whom he intends to vote, or ask or receive the assistance

of any person within the polling place in the preparation of his ballot.

§ 28. The county clerk of each county shall cause to be printed in large type on cards, in English and in such other languages as he deems necessary, instructions for the guidance of electors in procuring and preparing their ballots. He shall furnish twelve such cards, each printed in all the languages determined upon by him, to the board of inspectors of election in each election district, at the same time and in the same manner as the printed ballots. The board of inspectors of election shall post not less than one of such cards in each place or compartment provided for the preparation of ballots, and not less than three of such cards elsewhere in and about the polling places upon the day of election. Said cards shall be printed in large, clear type, and shall contain full instructions to the voters as to what should be done, (1) To obtain ballots for voting; (2) To prepare the ballots for deposit in the ballot-boxes; (3) To obtain a new ballot in the place of one spoiled by accident or mistake.

§ 29. No person shall (1) falsely make or make oath to or fraudulently deface, or fraudulently destroy any certificate of nomination, or any part thereof; or (2) file or receive for filing any certificate of nomination knowing the same or any part thereof to be falsely made; or (3) suppress any certificate of nomination which has been duly filed, or any part thereof; or (4) forge or falsely make the official stamp on any ballot. Every person violating any of the provisions of this section shall be deemed guilty of a felony.

§ 30. No person shall, during the election, remove or destroy any of the supplies or other conveniences placed in the booths or compartments for the purpose of enabling the voter to prepare his ballot, or prior to or on the day of election willfully deface or destroy any list of candidates posted in accordance with the provisions of this act. No person shall, during an election, remove, tear down, or deface the cards printed for the instruction of voters. Every person willfully violating any of the provisions of this section shall be deemed guilty of a misdemeanor.

§ 31. Every public officer upon whom any duty is imposed by this act, who shall willfully neglect or omit to perform such duty, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment in the county jail or penitentiary for a term of not less than six months and not more than three years, or by a fine of not less than two hundred and fifty dollars, and not more than three thousand dollars, or by both such fine and imprisonment.

§ 32. No officer of election shall do any electioneering on election day. No person whatever shall do any electioneering on election day within any polling place, or within one hundred feet of any polling place. No person shall show his ballot after it is prepared to any person in such a way as to reveal the contents thereof or the name of the candidate or candidates for whom he has prepared his vote, nor shall any person solicit the elector to show the same; nor shall any person (except an inspector of election) receive from any elector a ballot prepared by him for voting. No elector shall place any mark upon his ballot by which it may be afterwards identified as the one voted by him. No person shall remove any ballot, whether

official or unofficial, from any polling place before the closing of the polls, but all ballots, whether received from the inspectors or brought by the elector with him to the polls, and not voted, shall be left by the elector in the booth or compartment provided for the preparation of ballots. Whoever shall violate any provision of this section shall be deemed guilty of a misdemeanor.

§ 33. All the provisions of this act relating to county clerks shall apply in the city and county of New York to the board of police commissioners and not to the county clerk. Such provisions shall apply in the city of Brooklyn to the board of elections, and not to the county clerk of Kings county.

FOR WORKINGMEN.

§ 34. Upon any day upon which any general State election occurs any employé in any manufacturing, mechanical or mercantile establishment in the State, who is a duly qualified and legal elector therein, shall have the right and privilege of ceasing work and going to the polls to vote during a period of two hours on that day at any time after the opening of the polls thereon, provided he makes application previous to such day for such leave of absence, specifying between what hours on the election day he desires such leave; and no deduction in the usual salary or wages of such employé shall be made by any employer on account of such absence, and such employer is hereby prohibited from having any work done by such employé during said two hours. Any person or corporation willfully violating or evading the provisions of this section shall be deemed guilty of a misdemeanor.

TO PREVENT INTIMIDATION—"PAY ENVELOPES."

§ 35. It shall not be lawful for any employer in paying his employés the salary or wages due them to inclose their pay in "pay envelopes" upon which there is written or printed any political mottoes, devices or arguments intended or calculated to influence the political opinions or actions of such employés. Nor shall it be lawful for any employer, within ninety days of general election to put up or otherwise exhibit in his factory, work-shop or other establishment or place where his employés may be working, any hand-bill or placard containing any threat, notice or information that in case any particular ticket or candidate shall be elected, work in his place or establishment will cease, or his establishment be closed up, or the wages of his workmen be reduced, or other threats or notices intended or calculated to influence the political opinions or actions of his employés. This section shall apply to corporations, as well as to individuals, and any person or corporation violating the provisions of this section shall be deemed guilty of a misdemeanor, and any corporation violating this section shall forfeit its charter.

FILING STATEMENT OF ELECTION EXPENSES.

§ 36. Any candidate at any election for public officers within this State, shall, within ten days after such election, file, as hereinafter provided, a statement, subscribed and verified by him, showing in detail all the moneys contributed or expended by him directly or indirectly, in person or by his authority or direction, in aid of his election, and giving the specific nature and purpose of the disburse-

ments made. A candidate for a State office, or for representative in congress, shall file such certificate in the office of the Secretary of State; and a candidate for a county, city, town or village office shall file such certificate in the office of the clerk of the county wherein the election occurs. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and any candidate who may be elected who shall fail to comply with the provisions of this section shall forfeit his office; and any candidate willfully swearing falsely as to anything contained in such statement required to be filed as aforesaid, shall be deemed guilty of perjury.

ACTIONS TO OUST OFFICIALS ELECTED BY CORRUPTION.

§ 37. At any time during the term of office of any public officer elected under the laws of this State, any other person who received any votes for such office, at the election at which such public officer was elected, may present an application in writing and verified in the same manner that pleadings in courts of record are verified, to the Attorney-General, setting forth that, at the election at which such public officer was elected, votes were secured by him or by his agent or agents or by some committee or organization of some political party, of which party such public officer was a nominee, or by which he was generally supported, or the agent or agents of some such committee or organization, by paying, contributing, offering or promising to contribute money or other valuable thing as a compensation or reward, or by some promise to influence the giving of such vote or votes were withheld from such applicant by reason of such practices by or on behalf of such officer, agent, committee or organization, and that the applicant desires said Attorney-General to bring an action to have such public office declared vacant on account of said violation of the laws concerning elections. Such application shall be accompanied by a bond in such form as the Attorney-General shall, by some rule, prescribe, in the penalty of one thousand dollars, subscribed by two sureties, who shall justify as freeholders of the State, and in double such penalty, exclusive of all their debts and liabilities and property exempt by law from levy and sale under execution, conditioned for the repayment to the State of all the taxable costs and disbursements for which it may become liable for on account of said action.

§ 38. It shall be the duty of the Attorney-General, within ten days after the receipt of such application and bond, to begin an action against such public officer to have his office declared vacant, and for such other or further relief appropriate in an action against the usurper of an office or franchise, which such action so brought shall be deemed to be, and by the rules applicable to which it shall be governed and conducted.

§ 39. In case the Attorney-General shall neglect or refuse to bring such action within ten days after the receipt of such application and bond at his office, it shall be lawful for the applicant to bring such action in the name of the people of the State, but at his own expense and by his own attorney or attorneys, and in any action so brought by said applicant no recovery for costs and disbursements shall be had against the people.

§ 40. Such action shall have a preference on the calendar of any

courts of the State in which the same shall be pending over all other civil actions whatever.

○ § 41. If it shall be determined in any such action that any money or other valuable thing has been paid, contributed, offered or promised as a compensation or reward for the giving or withholding a vote at the election at which the defendant was elected, or any promise made to influence the giving or withholding any vote at such election, by such defendant, or by any agent of such defendant, or by any committee or organization of any political party of which party such defendant was the nominee or by which he was generally supported, or by any agent or agents of any such committee or organization, judgment shall be rendered ousting and excluding such defendant from such office and in favor of the people or the relator as the case requires subject to the provisions of the next succeeding section and for the costs of the action.

§ 42. In case the applicant to bring such action shall be joined with the people as relator therein the judgment shall award him such office; unless it shall be determined in such action that some act has been done or committed by him or in his behalf or by some agent, agents, committee or organization which would have been ground for bringing a similar action against him had he been declared elected to said office.

§ 43. No person shall be excused from answering any question on the trial of such action relating to any of the acts claimed to have been committed by any party thereto or any of the persons, committees or organizations mentioned in the first section of this act, on the ground that such answer would tend to incriminate or degrade such person or witness. But no such answer or answers shall be used, or be evidence against such witness in any criminal action, prosecution or proceeding whatever.

GENERAL REGISTRATION IN COUNTRY DISTRICTS.

§ 44. Section one of chapter five hundred and seventy-six of the Laws of one thousand eight hundred and eighty, entitled "An act to ascertain by proper proofs, the citizens who shall be entitled to the rights of suffrage in cities of sixteen thousand inhabitants or upwards, and the towns or villages abutting against the boundary of any such cities," is hereby amended so as to read as follows:

§ 1. The inspectors of election in each of the cities and towns of this State shall meet annually on the Tuesday three weeks preceding the general election at nine o'clock in the forenoon, at the place designated for holding the poll of said election, and organize themselves as a board for the purpose of registering the names of the legal voters of such district, and for this purpose they shall appoint one of their number chairman of the board, who shall administer to the other inspectors the oath or affirmation as required by the constitution, and the same oath shall then be administered to the chairman by one of the other inspectors. The said board shall then proceed to make a list of all persons qualified and entitled to vote at the ensuing election, in the election district of which they are inspectors. Said list when completed shall constitute and be known as the register of electors of said district. The said inspectors, at their first meeting on Tuesday, three weeks preceding the general election, shall have the power, if necessary, to sit two days, for the purpose of making

said list, provided that at the annual election next prior to said meeting, the number of voters in the district of which they are inspectors exceeded three hundred. No person shall be eligible as such inspector unless he shall be a qualified voter within such election district, nor unless he can read, write and speak the English language understandingly. No building or part of a building shall be designated or used as a place of registry or polling-place in which, or any part of which, spirituous or intoxicating liquor is or has been sold within sixty days preceding the time of using the same. The said inspectors of election and registry shall also form a board of inspectors of election for the purpose of holding an election by appointing one of their number as chairman; but it shall not be necessary for them to take any other or further oath of office than is herein provided for. The several officers of inspectors of registry and elections herein named are, and shall be in all courts and proceedings deemed and held respectively to be the election district officers. It shall be the duty of the said inspectors, respectively, to be in constant attendance during the hours allotted for the discharge of their several duties, and any inspector who shall willfully absent himself from his duties shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than twenty-five dollars or more than one hundred dollars.

§ 45. Section nineteen of said act is hereby amended so as to read as follows:

§ 19. This act shall not be construed to repeal or in any manner interfere with any general or special act for a registry of voters in any of the cities, villages or towns of this State.

§ 46. Section twenty of chapter five hundred and seventy-six of the Laws of one thousand eight hundred and eighty, is hereby repealed.

§ 47. The title of said last-named act is hereby amended so to read as follows: "An act to ascertain by proper proof the citizens who shall be entitled to the right of suffrage in towns and villages."

§ 48. All acts and parts of acts, inconsistent with the provisions of this act, are hereby repealed.

§ 49. This act shall take effect immediately.

Mr. Saxton moved to amend as follows:

Section 3, line 5, strike out the word "principal" and insert the word "principle."

Section 3, line 9, strike out the word "affiant" and substitute the word "affiants."

Section 9, line 2, between the words "him" and "at" insert the word "and."

Said bill being under discussion, at the suggestion of the Speaker, and by unanimous consent, the rule by which the House would be obliged to adjourn at 2 o'clock was suspended for the day.

Mr. G. H. Bush moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

The question being upon the motion of Mr. Greene to amend,

Mr. Sheehan called for the ayes and noes, which were ordered.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Greene, and it was determined in the negative.

{ AYES 45 }
{ NOES 71 }

Those who voted in the affirmative, were

Blanchfield	Dinkelspiel	Hayes	McCarren	Ryan
Blumenthal	Duffy	Hitt	McLaughlin	Schaaff
Bush, G. H.	Dunham	Hornidge	Miley	Sheehan
Bush, R. P.	Endres	Kelly	Mullaney	Smith, T.
Clark, C. C.	Graham	Kent	Murray	Strassburg
Connolly	Greene	Kerrigan	Newschafer	Sullivan
Creamer	Guenther	Longley	O'Neil	Townsend
Cronin	Hagan	Martin	Rice	Yetman
Demarest	Haggerty	McCann	Roesch	Young

Those who voted in the negative, were

Acker	Cottrell	Flaherty	McAdam	Sheldon
Ainsworth	Crosby	Gallup	McKenzie	Smith, C.
Andrus	Curtis	Groat	McMaster	Sperry
Aspinall	Dante	Hamilton	Mead	Stevens
Baker, A. B.	Davidson	Hughes	Mesick	Tefft
Baker, A. H.	Decker	Huntting	Moffitt	Towne
Barton	de Peyster	Husted	Moody	Treadway
Bauer	Dinehart	Kimball	Nixon	Upson
Brown	Donaldson	King	Pearsall	Van Gorder
Brownell	Dunlap	Lane	Peck	Walters
Carson	Edwards	Larmon	Rhodes	West
Cheney	Enz	Lewis	Saunders	Whipple
Clark, J.	Fish	Loder	Savery	Yates
Comstock	Fitts	Mase	Saxton	Youngman
Coon				

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Saxton, and it was determined in the affirmative.

The question being upon the motion of Mr. Sheehan to substitute, Mr. Sheehan called for the ayes and noes, which were ordered.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Sheehan, and it was determined in the negative.

{ AYES 45 }
{ NOES 71 }

Those who voted in the affirmative, were

Blanchfield	Dinkelspiel	Haggerty	McCann	Roesch
Blumenthal	Duffy	Hayes	McCarren	Ryan
Bush, G. H.	Dunham	Hitt	McLaughlin	Schaaff
Bush, R. P.	Endres	Hornidge	Miley	Sheehan
Clarke, C. C.	Graham	Kelly	Mullaney	Smith, T.
Connolly	Greene	Kent	Murray	Sullivan
Creamer	Guenther	Kerrigan	Newschafer	Townsend
Cronin	Haffner	Longley	O'Neil	Yetman
Demarest	Hagan	Martin	Rice	Young

Those who voted in the negative, were

Acker	Cottrell	Flaherty	McAdam	Sheldon
Ainsworth	Crosby	Gallup	McKenzie	Smith, C.

Andrus	Curtis	Groat	McMaster	Sperry
Aspinall	Dante	Hamilton	Mead	Stevens
Baker, A. B.	Davidson	Hughes	Mesick	Tefft
Baker, A. H.	Decker	Hunting	Moffitt	Towne
Barton	De Peyster	Husted	Moody	Treadway
Bauer	Dinehart	Kimball	Nixon	Upson
Brown	Donaldson	King	Pearsall	Van Gorder
Brownell	Dunlap	Lane	Peck	Walters
Carson	Edwards	Lewis	Rhodes	West
Cheney	Enz	Loder	Saunders	Whipple
Clark, J.	Fish	Mase	Savery	Yates
Comstock	Fitts	Maynard	Saxton	Youngman
Coon				

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 73 }
{ NOES 44 }

Those who voted in the affirmative, were

Acker	Cottrell	Gallup	McKenzie	Smith, C.
Ainsworth	Crosby	Groat	McMaster	Smith, M. A.
Andrus	Curtis	Hamilton	Mead	Sperry
Aspinall	Dante	Hughes	Mesick	Stevens
Baker, A. B.	Davidson	Hunting	Moffitt	Tefft
Baker, A. H.	Decker	Husted	Moody	Towne
Barton	de Peyster	Kimball	Nixon	Treadway
Bauer	Dinehart	King	Pearsall	Upson
Brown	Donaldson	Lane	Peck	Van Gorder
Brownell	Dunlap	Larmon	Rhodes	Walters
Carson	Edwards	Lewis	Saunders	West
Cheney	Enz	Loder	Savery	Whipple
Clark, J.	Fish	Mase	Saxton	Yates
Comstock	Fitts	Maynard	Sheldon	Youngman
Coon	Flaherty	McAdam		

Those who voted in the negative, were

Blanchfield	Dinkelspiel	Haggerty	McCann	Ryan
Blumenthal	Duffy	Hayes	McCarren	Schaaff
Bush, G. H.	Dunham	Hitt	McLaughlin	Sheehan
Bush, R. P.	Endres	Hornidge	Miley	Smith, T.
Clarke, C. C.	Graham	Kelly	Mullaney	Strassburg
Connelly	Greene	Kent	Murray	Sullivan
Creamer	Guenter	Kerrigan	O'Neil	Townsend
Cronin	Haffner	Longley	Rice	Young
Demarest	Hagan	Martin	Roesch	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Rhodes, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill (No. 790) entitled "An act to amend chapter 466 of the Laws of 1875, entitled 'An act to exempt property, real and personal, of the Society of the New York Hospital from taxation, and to repeal section 4 of chapter 257 of the Laws of 1822,'" and the same was ordered to a third reading, and to be read the third time on Thursday at 12 o'clock noon.

On motion of Mr. Brownell, and by unanimous consent, the bill (No. 871) entitled "An act to amend chapter 355 of the Laws of 1868, entitled 'An act to authorize and require the Comptroller of the State to settle with the treasurers of Hamilton, Warren and Essex in relation to certain non-resident taxes,'" now on the order of third reading, was ordered to be read the third time on Wednesday, April tenth, at 12 o'clock, noon.

Mr. Peck, from the subcommittee of the whole, presented a report in writing; which was laid upon the table and ordered printed.

(See Doc. No. 93.)

Mr. Speaker called from the table the report of the subcommittee of the whole, (Assem. Doc. No. 91), in favor of the passage of the following entitled bills:

Int. 671, No. 676, "An act relative to the power of the board of street opening and improvement in the city of New York."

Int. 821, No. 738, "An act to prohibit the sale and use of intoxicating liquors at State, county and town fairs, and at county reunions or encampments of organized associations of veterans of the late war, and within 200 yards of the place or premises where such fairs and reunions or encampments are held."

Int. 262, No. 672, "An act to amend section 9 of article 2, title 2, chapter 13, part 1 of the Revised Statutes, relating to the assessment and collection of taxes."

Int. 849, No. 977, "An act to enable courts of justice to receive in evidence in actions or proceedings involving the title of premises known by the street number as No. 209 Hester street, in the city of New York, certain testimony heretofore received in a cause involving the same question."

Int. 866, No. 1009, "An act to amend section 3 of chapter 40 of the Laws of 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes.'"

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bills ordered to a third reading and referred to the committee on revision.

Mr. Curtis moved that when this House adjourns it be to meet again to-morrow morning at 10.30 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate returned the Senate bill entitled "An act making an appropriation for repairing what is known as the second level and State ditch of the Cayuga and Seneca canal, at Seneca Falls" (Rec. No. 114), with a message that they have concurred in the amendments of the Assembly thereto.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the following entitled bills :

"An act to amend chapter 40 of the Laws of 1888, entitled 'An act to incorporate the city of Hornellsville,' as amended by chapter 374 of the Laws of 1888.'" (No. 357.)

"An act making an appropriation for dredging Black Rock harbor, the Erie basin and the Ohio basin." (No. 64.)

"An act to amend chapter 377 of the Laws of 1888, entitled 'An act to provide for the erection of a State armory in the city of Cohoes, and making an appropriation therefor.'" (No. 389.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill entitled "An act to enable Long Island City to refund a portion of its bond issued under chapter 506 of the Laws of 1884" (No. 296), with a message that they have concurred in the passage of the same, as amended.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the following entitled bill, with a message that they have concurred in the passage of the same.

"An act to legalize and confirm the action of the legal voters of the town of Delaware at the annual town meeting held March 5, 1889." (Int. No. 1148.)

"An act to amend chapter 78 of the Laws of 1880, entitled 'An act to enable the trustees of villages in the county of Richmond to contract for a supply of water to such villages for fire and other public purposes, and to raise and expend money therefor.'" (No. 697.)

"An act to authorize the water commissioners of the village of Lansingburgh to sell and convey certain real property belonging to said village." (No. 479.)

"An act to enable the board of education of Union Free School District No. 1 of the city of Rome to raise money for extraordinary or special purpose, by giving notice thereof by publication in newspapers of the city, of an election to be held, instead of by serving a personal notice upon the qualified voters of said district." (No. 518.)

Ordered, That the Clerk deliver said bills to the Governor.

On motion of Mr. Van Gorder, the House adjourned.

WEDNESDAY, APRIL 10, 1889.

The House met pursuant to adjournment.

Prayer by Rev. S. V. Leech.

On motion of Mr. Peck, the journal of yesterday was approved without being read.

By unanimous consent,

Mr. Peck introduced a bill entitled an act to revise, amend and consolidate the several acts relating to the village of Cortland, and to repeal certain acts and parts of acts" (Int. No. 1172), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Peck, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Davidson	Harwood	McAdam	Ryan
Ainsworth	Decker	Hughes	McCann	Saunders
Andrus	Demarest	Hunting	McCarren	Savery
Baker, A. B.	Dinehart	Husted	McKenzie	Saxton
Baker, A. H.	Dinkelspiel	Kent	Mead	Sheldon
Bauer	Donaldson	Kerrigan	Mesick	Smith, T.
Blanchfield	Dunlap	Kimball	Miley	Stevens
Brown	Endres	Lane	Moffitt	Sullivan
Brownell	Enz	Le Roy	Moody	Towne
Cheney	Fish	Lewis	Murray	Townsend
Clark, J.	Fitts	Little	Newschafer	Van Gorder
Comstock	Graham	Loder	O'Neil	West
Creamer	Greene	Longley	Pearsall	Whipple
Cronin	Hagan	Martin	Peck	Yates
Curtis	Haggerty	Mase	Rhodes	Young
Dante	Hamilton	Maynard	Roesch	Youngman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Whipple introduced a bill entitled "An act to prevent insurance companies, their officers, managers or agents, from including in the premium mentioned in policies of insurance any policy fee, survey fee, or other fee, perquisite or compensation than the premium charged for the insurance" (Int. No. 1173), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Whipple, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and printed, and when printed to be committed to the committee on insurance, retaining its place on the order of third reading.

Mr. Ryan introduced a bill entitled "An act to authorize the board of trustees of the village of Greenbush to make and establish the grade for streets and to legalize the work" (Int. No. 1174), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Ryan, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dante	Hamilton	McCann	Saxton
Ainsworth	Davidson	Harwood	McCarren	Schaaff
Andrus	Decker	Hitt	McKenzie	Sheldon
Aspinall	Demarest	Hughes	McMaster	Smith, T.
Baker, A. B.	Dinkelspiel	Hunting	Mead	Sperry
Bauer	Dunlap	Husted	Mesick	Stevens
Blanchfield	Edwards	Kerrigan	Miley	Sullivan
Brown	Endres	Lane	Moffitt	Towne
Brownell	Enz	Le Roy	Moody	Van Gorder
Bush, R. P.	Fish	Lewis	Nixon	Walters
Carson	Fitts	Little	O'Neil	West
Cheney	Gibbs	Loder	Rhodes	Whipple
Clark, J.	Graham	Longley	Roesch	Yates
Comstock	Groat	Martin	Ryan	Young
Creamer	Haffner	Maynard	Saunders	Youngman
Cronin	Hagan	McAdam	Savery	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent,

Mr. Andrus offered for the consideration of the House a resolution, in the words following:

Resolved, That the Attorney-General be and he is hereby requested to communicate to the Assembly his official opinion whether the Legislature has power under the Constitution of this State to authorize by law the appropriation or use by any person or corporation of any of the waters of Skaneateles lake, the same being a part of the canal system of this State.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. J. Clark introduced a bill entitled "An act to amend and revise chapter 540 of the Laws of 1884, entitled 'An act to revise, consolidate and amend the several acts constituting the charter of the village of Mt. Morris'" (Int. No. 1175), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Clark, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Demarest	Hitt	McCann	Saxton
Ainsworth	Dinehart	Hughes	McCarren	Schaaff
Aspinall	Dinkelspiel	Hunting	McKenzie	Sheehan

Baker, A. B.	Donaldson	Husted	Mesick	Sheldon
Bauer	Dunlap	Kelly	Moffitt	Smith, M. A.
Blanchfield	Edwards	Kent	Moody	Smith, T.
Blumenthal	Endres	Lane	Murray	Stevens
Brownell	Enz	Le Roy	Nixon	Sullivan
Bush, R. P.	Fish	Lewis	O'Neil	Towne
Carson	Fitts	Little	Pearsall	Townsend
Clark, J.	Gibbs	Loder	Peck	Van Gorder
Comstock	Greene	Longley	Rhodes	Walters
Coon	Haffner	Martin	Rice	West
Cronin	Hagan	Mase	Roesch	Yates
Curtis	Haggerty	Maynard	Saunders	Young
Decker	Harwood	McAdam	Savery	Youngman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. McAdam introduced a bill entitled "An act to amend chapter 40 of the Laws of 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical, chemical, agricultural, horticultural, medical or curative, mercantile or commercial purposes'" (Int. No. 1176), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Comstock introduced a bill entitled "An act to amend chapter 511 of the Laws of 1868, entitled 'An act to amend an act entitled An act in relation to the public schools in the village of Watertown, passed April 21, 1865'" (Int. No. 1177), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Comstock, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and printed, and to be read the third time on Friday.

Mr. Nixon offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 870, entitled "An act making an appropriation for the purpose of deepening the outlet of Chautauqua lake from the Jamestown docks to a point three and one-quarter miles therefrom," now on the order of third reading, be read the third time next Friday morning, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Ainsworth offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 852, entitled "An act to confirm the audits of accounts by the boards of supervisors of the various counties of this State," now on the order of third reading, be read the third time to-morrow morning.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend section 1, title 1, and section 5 of title 6 of chapter 363 of the Laws of 1886, entitled 'An act to amend, revise and consolidate the several acts relating to the village of Canton, and

to enlarge the powers of the corporation of said village' " (No. 925), reported the same with the recommendation that it be amended as follows:

Section 1, line 8, strike out the word "bound" and insert the word "mound" in place thereof.

Section 2, lines 1, 2 and 3, strike out all after the word "of," in line 1, down to and including the word "village," in line 3.

Amend the title by striking out all after the word "amend," in line 1, down to and including the word "of," first occurring, in line 2, and by inserting at the end of title the words "relative to the boundaries of said village, and duties of assessors."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to provide for the purchase and distribution of a table of expiration of sentences, under chapter 492 of the Laws of 1888" (No. 1043), reported the same with the recommendation that it be amended as follows:

Section 1, line 5, strike out the word "or" and insert the words "and others" in place thereof.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend title 4 of chapter 248 of the Laws of 1883, entitled 'An act to revise and amend the charter of the village of Flushing, in Queens county'" (No. 651), reported the same with the recommendation that it be amended as follows:

Section 1, lines 3 and 4, strike out all after the word "county," in line 3, down to and including the word "eighty-three" in line 4.

Same section, after line 6, insert the words "Title IV."

Amend title by striking out of first line the words "title four;" also insert at the end of title the words "relating to streets and sewers."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations" (No. 1027), reported the same with the recommendation that it be amended as follows:

Page 4, section 1, line 87, after the word "twenty-three" insert the words "of chapter 409 of the."

Same section, line 92, add the letter "s" to the word "house."

Page 11, line 283, change the word "at" to "to."

Page 12, line 312, change the word "is" to "are."

Same page, line 313, insert the word "and" after the word "patients."

Same page, line 320, insert the letter "k" in place of "h" in the word "brich."

Page 14, line 352, commence the word "where" with a capital W, and insert a period after the word "dollars."

Page 15, line 381, insert the word "the" before the word "senate."

Page 17, line 450, change the word "in" to "of."

Same page, line 453, change the word "on" to "of."

Page 18, line 468, change the word "judiciary" to "judicial."

Page 20, line 544, change the word "therefore" to "therefor."

Page 22, line 583, strike out the word "of" before the word "provide."

Same page, line 609, insert the word "for" before the word "other."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 555 of the Laws of 1855, entitled 'An act to amend the act to incorporate the village of Clyde in the county of Wayne, passed May 2, 1835, and the acts amendatory thereof, passed May 14, 1840, and April 14, 1852'" (No. 973), reported the same with the recommendation that the title be amended by inserting at the end thereof the words "relating to police justice."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 120 of the Laws of 1886, entitled 'An act to revise the charter of the city of Lockport, as amended by chapter 364 and chapter 571 of the Laws of 1887, and chapter 201 of the Laws of 1888'" (No. 928), reported the same with the recommendation that it be amended as follows:

Section 1, after the word "Lockport," in line 3, strike out all down to and including all of line 6.

Same section, line 8, strike out the words "title mark."

Section 2, line 3, strike out the words "title mark."

Amend the title by striking out all after the word "by" in line 4.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend title 9 of chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction'" (No. 980), reported the same with the recommendation that it be amended as follows:

Section 1, line 2, insert after the word "sixty-four" the words "as amended by chapter 49 of the Laws of 1884, and chapter 595 of the Laws of 1886."

Section 2, line 8, strike off "un" from the word "unexpended;" same line, affix "un" to the word "expended."

Amend the title so as to read as follows:

"An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,' and the acts amendatory thereof, relating to union free school districts other than those whose limits correspond with an incorporated city or village."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendation:

"An act to authorize the authorities of the city of Brooklyn to open, extend and improve Manhattan avenue, and to close a portion of the same, and to open and improve a portion of Ewen street, in the city of Brooklyn." (No. 945.)

"An act to amend section 1341 of the Code of Civil Procedure, relating to limitation of time and security on appeal. (No. 670.)

"An act making an appropriation for the construction of a lift or hoist-bridge over the Erie canal, to take the place of the bridge known as the Church street bridge, in the city of Schenectady." (No. 1048.)

"An act for the relief of the Utica Belt Line Street Railroad Company." (No. 1038.)

"An act to amend chapter 2 of part 2 of the Revised Statutes, as amended by chapter 320 of the Laws of 1830, by making an additional section to said chapter, and to amend section 2 of chapter 157 of the Laws of 1842, entitled 'An act to extend the exemption of household furniture and working tools from distress for rent and sale under execution,' relating to the descent of real estate and distribution of personal property." (No. 970.)

"An act to amend section 1, title 1 and section 5 of title 6 of chapter 363 of the Laws of 1886, entitled 'An act to amend, revise and consolidate the several acts relating to the village of Canton, and to enlarge the powers of the corporation of said village.'" (No. 968.)

"An act to amend section 4, chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game.'" (No. 867.)

"An act to authorize the purchase of the land known as the Indian Mound in the town of Geneva and county of Ontario." (No. 1010.)

"An act authorizing boards of supervisors to fix the salary of coroners of their respective counties instead of paying them fees." (No. 741.)

"An act to provide for reports of the dormant accounts in savings banks incorporated under the Laws of this State." (No. 588.)

"An act to prohibit the sale of cigarettes to children under sixteen years of age." (No. 591.)

"An act to confer upon the commissioners of the land office authority to hear and determine applications for lands that have escheated to the State." (No. 1017.)

"An act to create a commission to inquire into the expediency of enlarging the area of the city of New York." (No. 1001.)

"An act to amend sections 1907 and 1908 of the Code of Civil Procedure, relating to libels." (No. 941.)

"An act to authorize the Comptroller of the State to lease the old State armory at Troy to the Grand Army of the Republic Association of the city of Troy." (No. 1018.)

Ordered, That said bills be engrossed for a third reading.

Mr. Little introduced a bill entitled "An act to amend chapter 203 of the Laws of 1888, entitled 'An act to authorize the board of education of the city of Lockport to acquire a site and erect a school building for the use of the union school district within said city, and to

authorize the common council of said city of Lockport to issue bonds for the purpose of paying therefor" (Int. No. 1178), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Little, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and to be read the third time on Monday, April fifteenth.

Mr. Saunders introduced a bill entitled "An act to amend section 2 of chapter 58, Laws of 1885, entitled 'An act in relation to the Troy water-works'" (Int. No. 1179), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Saunders, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading, and to be read the third time on Friday, April twelfth.

Mr. Mase moved to take from the table the motion to reconsider the vote by which Assembly bill No. 578, entitled "An act to amend title 17 of chapter 20 part 1 of the Revised Statutes, entitled 'Of Dogs,'" was lost.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 66 }
{ NOES 19 }

Those who voted in the affirmative, were

Adams	Dinehart	Husted	Moody	Smith, M. A.
Ainsworth	Donaldson	Kerrigan	Newschafer	Smith, T.
Bauer	Duffy	Kimball	Nixon	Sperry
Blumenthal	Dunham	Lane	O'Neil	Stevens
Brown	Fish	Le Roy	Peck	Sullivan
Brownell	Fitts	Lewis	Rhodes	Towne
Clark, J.	Gibbs	Longley	Rice	Van Gorder
Comstock	Greene	Mase	Roesch	Walters
Coon	Guenther	McAdam	Ryan	West
Creamer	Haffner	McCann	Saunders	Whipple
Cronin	Haggerty	McMaster	Saxton	Yates
Crosby	Harwood	Miller	Schaaff	Young
Curtis	Hitt	Moffitt	Sheehan	Youngman
Davidson				

Those who voted in the negative, were

Acker	Carson	Edwards	Groat	Mullaney
Baker, A. B.	Connelly	Endres	Kent	Pearsall
Blanchfield	Cottrell	Flaherty	Maynard	Sheldon
Bush, R. P.	Demarest	Graham	Mead	

The vote by which said bill was lost having been reconsidered,

On motion of Mr. Mase, and by unanimous consent, the same was amended as follows :

Section 1, lines 5 and 13, after the words "New York" insert the words "and the county of Kings."

Mr. Maynard moved to amend by adding the words "and the county of Madison."

Mr. Sheehan moved to amend said bill so as to exempt the county of Erie from the provisions of said act.

Mr. Ainsworth moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Sheehan, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Maynard, and it was determined in the negative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 74 }
{ NOES 20 }

Those who voted in the affirmative, were

Adams	Donaldson	Haggerty	McCarren	Sheldon
Ainsworth	Dunham	Hayes	McLaughlin	Smith, C.
Aspinall	Dunlap	Hitt	McMaster	Smith, M. A.
Blanchfield	Edwards	Hornidge	Miley	Smith, T.
Blumenthal	Endres	Husted	Moffitt	Sperry
Brown	Enz	Kelly	Moody	Stevens
Brownell	Fish	Kerrigan	Mullaney	Sullivan
Comstock	Fitts	Kimball	Newschafer	Van Gorder
Coon	Gallup	Lane	Rhodes	Walters
Creamer	Gibbs	Le Roy	Rice	West
Cronin	Graham	Loder	Roesch	Whipple
Crosby	Greene	Longley	Ryan	Yates
Curtis	Groat	Mase	Saxton	Young
Dinehart	Guenther	McAdam	Schaaff	Youngman
Dinkelspiel	Haffner	McCann	Sheehan	

Those who voted in the negative, were

Acker	Cheney	Kent	McKenzie	Peck
Baker, A. B.	Connelly	Lewis	Mead	Saunders
Bush, R. P.	Cottrell	Little	Nixon	Towne
Carson	Demarest	Maynard	Pearsall	Townsend

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 794) entitled "An act to authorize the Board of Claims to hear and determine the claim of the Marsh Land Company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 2 }

Those who voted in the affirmative, were

Acker	Davidson	Haggerty	McKenzie	Ryan
Andrus	Decker	Hamilton	McMaster	Savery
Aspinall	Demarest	Hayes	Mead	Saxton
Baker, A. B.	Dinehart	Hughes	Miley	Schaaff
Barton	Dinkelspiel	Hunting	Moody	Sheehan
Bauer	Donaldson	Husted	Mullaney	Smith, C.
Brownell	Duffy	Kimball	Murray	Smith, T.
Bush, R. P.	Dunlap	Lane	Newschafer	Sullivan
Carson	Edwards	Larmon	Nixon	Treadway
Cheney	Endres	Little	O'Neil	Van Gorder
Clarke, C. C.	Enz	Loder	Pearsall	Walters
Connelly	Fitts	Longley	Peck	West
Coon	Gibbs	Martin	Rhodes	Whipple
Cottrell	Graham	Mase	Rice	Yates
Creamer	Groat	McCann	Roesch	Youngman
Curtis	Haffner	McCarren		

Those who voted in the negative, were

Crosby Fish

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 941) entitled "An act to amend sections 1907 and 1908 of the Code of Civil Procedure, relating to libels," having been announced for a third reading,

On motion of Mr. Greene, and by unanimous consent, the same was amended as follows:

Section 1, line 13, after the word "effectual" insert the word "public."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, three-fifths of all the members elected to the Assembly not voting in favor thereof.

{ AYES 28 }
{ NOES 52 }

Those who voted in the affirmative, were

Baker, A. H.	Cronin	Haffner	Longley	Saxton
Blake	Curtis	Hornidge	McAdam	Sheehan
Blumenthal	Davidson	Husted	McCann	Sperry
Clarke, C. C.	Dinehart	Kelly	Newschafer	West
Connelly	Gibbs	Larmon	Rhodes	Yates
Creamer	Groat	Lewis		

Those who voted in the negative, were

Acker	Decker	Harwood	McCarren	Pearsall
Andrus	Demarest	Hitt	McKenzie	Ryan
Bauer	Dinkelspiel	Hughes	McLaughlin	Savery

Blanchfield	Duffy	Hunting	McMaster	Sheldon
Brown	Dunham	Kent	Mead	Smith, C.
Carson	Edwards	Kimball	Moody	Sullivan
Cheney	Endres	King	Mullaney	Townsend
Coon	Fish	Little	Murray	Treadway
Cottrell	Graham	Martin	Nixon	Van Gorder
Crosby	Hagan	Maynard	O'Neil	Whipple
Dante	Hamilton			

Mr. Saxton moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 970) entitled "An act to amend chapter 2 of part 2 of the Revised Statutes, as amended by chapter 320 of the Laws of 1830 by making an additional section to said chapter, and to amend section 2 of chapter 157 of the Laws of 1842, entitled 'An act to extend the exemption of household furniture and working tools from distress for rent and sale under execution,' relating to the descent of real estate and distribution of personal property," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 1 }

Those who voted in the affirmative, were

Ainsworth	Dante	Greene	Loder	Rhodes
Andrus	Davidson	Groat	Longley	Roesch
Baker, A. H.	Decker	Guenther	Martin	Schaaft
Bauer	Demarest	Haffner	McAdam	Sheldon
Blake	Dinehart	Hagan	McCann	Smith, C.
Blanchfield	Dinkelspiel	Harwood	McCarren	Smith, M. A.
Blumenthal	Donaldson	Hayes	McKenzie	Smith, T.
Brown	Duffy	Hitt	McLaughlin	Stevens
Brownell	Dunham	Hughes	McMaster	Sullivan
Cheney	Dunlap	Hunting	Mesick	Towne
Comstock	Edwards	Husted	Moody	Townsend
Connelly	Endres	Kelly	Murray	Treadway
Coon	Enz	Kerrigan	Newschafer	Van Gorder
Cottrell	Fitts	Kimball	Nixon	West
Creamer	Flaherty	Lane	O'Neil	Whipple
Crosby	Gibbs	Lewis	Pearsall	Yates
Curtis	Graham	Little	Peck	Youngman

For the negative,

King

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1010) entitled "An act to authorize the purchase of

the land known as the Indian Mound in the town of Geneva and county of Ontario," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Groat	Martin	Ryan
Adams	Curtis	Haffner	Mase	Saunders
Ainsworth	Dante	Hayes	McAdam	Sheldon
Andrus	Davidson	Hitt	McLaughlin	Smith, C.
Aspinall	Decker	Hughes	McMaster	Smith, T.
Baker, A. B.	Demarest	Hunting	Mead	Sperry
Baker, A. H.	Dinehart	Husted	Moffitt	Stevens
Bauer	Dinkelspiel	Kelly	Moody	Sullivan
Blake	Donaldson	Kerrigan	Mullaney	Townsend
Blanchfield	Duffy	Kimball	Murray	Treadway
Blumenthal	Endres	King	Newschafer	Van Gorder
Brown	Enz	Lane	O'Neil	West
Carson	Fitts	Larmon	Pearsall	Whipple
Cheney	Gibbs	Lewis	Rhodes	Yates
Clarke, C. C.	Graham	Little	Rice	Young
Comstock	Greene	Loder	Roesch	Youngman
Cottrell				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 871) entitled "An act to amend chapter 355 of the Laws of 1868, entitled 'An act to authorize and require the Comptroller of the State to settle with the treasurers of the counties of Hamilton, Warren and Essex, in relation to certain non-resident taxes,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Guenther	Longley	Roesch
Ainsworth	Cottrell	Haffner	Martin	Ryan
Andrus	Creamer	Harwood	McCann	Saunders
Baker, A. B.	Cronin	Hayes	McLaughlin	Savery
Baker, A. H.	Crosby	Hitt	McMaster	Smith, C.
Barton	Davidson	Hughes	Mead	Smith, M. A.
Bauer	Demarest	Hunting	Miller	Smith, T.
Blanchfield	Dinehart	Husted	Moffitt	Sperry

Blumenthal	Donaldson	Kelly	Moody	Stevens
Brown	Dunlap	Kent	Newschafer	Sullivan
Brownell	Endres	Kerrigan	Nixon	Treadway
Bush, R. P.	Fish	Kimball	O'Neil	Van Gorder
Carson	Fitts	Le Roy	Pearsall	West
Cheney	Gibbs	Lewis	Rhodes	Young
Clarke, C. C.	Greene	Little	Rice	Youngman
Comstock	Groat	Loder		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 535) entitled "An act to amend chapter 466 of the Laws of 1866, entitled 'An act in regard to normal schools'" (Rec. No. 207), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Creamer	Groat	Longley	Roesch
Ainsworth	Crosby	Guenther	Martin	Ryan
Andrus	Curtis	Haffner	Mase	Savery
Baker, A. B.	Davidson	Hagan	Maynard	Schaaff
Baker, A. H.	Decker	Hamilton	McLaughlin	Smith, M. A.
Barton	Demarest	Harwood	Mead	Smith, T.
Bauer	Dinehart	Hayes	Miley	Sperry
Blanchfield	Dinkelspiel	Hornidge	Miller	Stevens
Blumenthal	Duffy	Hughes	Moffitt	Sullivan
Brownell	Dunham	Hunting	Moody	Van Gorder
Bush, R. P.	Endres	Husted	Mullaney	Walters
Carson	Enz	Kelly	Newschafer	West
Clarke, C. C.	Fitts	Kimball	O'Neil	Whipple
Comstock	Gibbs	Le Roy	Pearsall	Yates
Connelly	Graham	Little	Rice	Youngman
Cottrell	Greene	Loder		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. R. P. Bush offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 297, entitled "An act to amend chapter 370 of the Laws of 1875, entitled 'An act to amend and consolidate the several acts relating to the city of Elmira,'" for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The House resolved itself into a committee of the whole, and

proceeded to the consideration of the special order, being the bill entitled as follows :

"An act to further amend chapter 606 of the Laws of 1875, entitled 'An act further to provide for the construction and operation of a steam railway or railways in the counties of the State.'" (No. 1053.)

After some time spent therein, Mr. Husted resumed the chair.

Mr. Fish moved that the time of the session be extended until the bill under consideration in committee of the whole was disposed of.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hamilton moved that a session of this House be held this evening from 8 to 10 o'clock, for the purpose of third reading of bills in their regular order only.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House again in committee of the whole, resumed the consideration of said bill.

After some time spent therein, Mr. Speaker resumed the chair, and Mr. Gibbs, from said committee, reported progress on the same, and asked and obtained leave to sit again.

Mr. Crosby moved that the committee of the whole be discharged from the further consideration of said bill, and that the same, be ordered to a third reading, and upon that motion moved the previous question, and called for the ayes and noes, which were ordered.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the negative.

{ AYES 52 }
{ NOES 55 }

Those who voted in the affirmative, were

Ainsworth	Creamer	Greene	Martin	Rice
Andrus	Cronin	Groat	Mase	Roesch
Aspinall	Crosby	Guenther	McCann	Ryan
Blake	Demarest	Haffner	McCarren	Schaaff
Blanchfield	de Peyster	Hagan	McLaughlin	Sheehan
Blumenthal	Dinkelspiel	Haggerty	Mesick	Smith, T.
Bush, G. H.	Duffy	Hayes	Miley	Sperry
Bush, R. P.	Endres	Kelly	Mullaney	Sullivan
Clarke, C. C.	Fish	Kerrigan	Murray	Townsend
Connelly	Fitts	Longley	Rhodes	Young
Coon	Graham			

Those who voted in the negative, were

Acker	Cottrell	Hamilton	McAdam	Smith, M. A.
Adams	Curtis	Hughes	McKenzie	Stevens
Baker, A. B.	Davidson	Hunting	McMaster	Tefft
Baker, A. H.	Decker	Kimball	Mead	Towne
Barton	Donaldson	King	Moffitt	Treadway
Bauer	Dunlap	Lane	Nixon	Upson
Brown	Edwards	Larmon	Pearsall	Van Gorder
Brownell	Enz	Lewis	Peck	Walters
Carson	Flaherty	Little	Savery	Whipple
Clark, J.	Gallup	Loder	Saxton	Yates
Comstock	Gibbs	Maynard	Sheldon	Youngman

Mr. Hamilton moved that the committee of the whole be discharged from the further consideration of said bill, and that the same, with the following amendments adopted in committee of the whole, be ordered to a third reading.

Section 3, line 30, after the word "accordingly" insert the words "and from time to time shall submit their action to the Commissioners of the Sinking Fund, and such route or plans shall not be adopted until they are approved by the Commissioners of the Sinking Fund."

Section 4, line 17, after the word "shares" strike out the word "they" and insert "the Commissioners of the Sinking Fund."

Same section, line 30, strike out the words "in the same proportion."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, and said bill referred to the committee on revision.

On motion of Mr. Creamer, and by unanimous consent, said bill was made a special order for Wednesday, April seventeenth, immediately after the reading of the journal.

The Senate returned the bill entitled "An act making appropriations for the Hudson River State Hospital." (No. 840.)

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Van Gorder presented petitions relative to the sale of cigarettes and tobacco to children; which were referred to the committee on public health.

The privileges of the floor were extended to Hons. Peter Walrath and S. R. Monts.

On motion of Mr. Curtis, the privileges of the floor were extended to Capt. Harrison Clark.

The hour of 2 o'clock having arrived, and the business for which the session was extended having been finished, the House took a recess until 8 o'clock p. m.

EIGHT O'CLOCK P. M.

The House again met.

Mr. Speaker presented a memorial from the Chamber of Commerce of the State of New York, relative to the preservation of the Adirondack forests, and the construction of a railroad through the Niagara reservation; which was read by the Clerk.

On motion of Mr. Sheehan, said communication was referred to the committee on railroads.

On motion of Mr. Husted, and by unanimous consent, Assembly bill No. 671, entitled "An act to provide for the erection of a new State prison, and for the removal of the present State prison from Sing Sing," now on the order of third reading, was ordered to be read the third time on Friday next at 11 o'clock a. m.

On motion of Mr. Husted, and by unanimous consent, Assembly bill No. 842, entitled "An act supplementary to chapter 312 of the Laws of 1877, entitled 'An act in relation to the compensation of the several officers, keepers, guards, matrons and teachers of the Sing Sing, Auburn and Clinton prisons, and the superintendent of the

State Lunatic Asylum for Insane Convicts at Auburn, and to fix the rate of interest to be paid on convict deposits,' fixing the compensation of certain officers in the several State prisons and changing the title and increasing the powers of the principal keepers therein," now on the order of third reading, was ordered to be read the third time on Friday next at 11 o'clock A. M.

On motion of Mr. Husted, and by unanimous consent, Assembly bill No. 716, entitled "An act to authorize the board of trustees of the village of Peekskill to purchase real estate and erect a building thereon for the use of the fire department of said village, and to issue bonds therefor," now on the order of third reading, was ordered to be read the third time on Friday next at 11 o'clock.

Mr. Curtis offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 1040, entitled 'An act to amend chapter 382 of the Laws of 1857, entitled 'An act in relation to the schools and academies in the village of Ogdensburgh, St. Lawrence county,' " now on the order of third reading, be read the third time on Thursday, at 12 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Rhodes offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 733, entitled "An act to amend section 260 of chapter 409 of the Laws of 1882, entitled 'An act to revise the statutes of this State relating to banks, banking and trust companies, as amended by chapter 524 of the Laws of 1887, and as amended by chapter 373 of the Laws of 1888,'" be recommitted to the committee on banks for a hearing, retaining its place.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Tefft, and by unanimous consent Assembly bill No. 975, entitled "An act conferring upon the graduates of certain law schools the right to be admitted to the examinations for admission to the bar, upon the production of their diplomas," now on general orders, was made a special order for Tuesday morning April sixteenth.

On motion of Mr. Graham, and by unanimous consent, Senate bill No. 588, entitled "An act to amend chapter 90 of the Laws of 1884, entitled 'An act regulating the pilotage of the port of New York,'" now on the order of third reading, was ordered to be read the third time to-morrow, at 12 o'clock, noon.

By direction of the Speaker the Clerk called the roll, when the following members responded:

Acker	Curtis	Hamilton	McMaster	Schaaff
Ainsworth	Davidson	Hughes	Mead	Sheehan
Andrus	Decker	Hunting	Mesick	Smith, C.
Aspinall	Demarest	Husted	Miley	Smith, T.
Baker, A. B.	Dunham	Kelly	Miller	Sperry
Baker, A. H.	Dunlap	Kent	Moody	Stevens
Barton	Enz	Kimball	Murray	Sullivan
Bauer	Fish	King	Newschafer	Tefft
Blanchfield	Fitts	Lewis	Nixon	Towne

Blumenthal	Flaherty	Little	Pearsall	Townsend
Brown	Gallup	Loder	Peck	Treadway
Bush, R. P.	Graham	Longley	Rhodes	Van Gorder
Comstock	Greene	Martin	Roesch	Walters
Coon	Groat	Maynard	Ryan	West
Cottrell	Guenther	McCann	Saunders	Whipple
Cronin	Haffner	McCarren	Savery	Youngman
Crosby	Haggerty	McKenzie	Saxton	84

The bill (No. 864), entitled "An act to amend section 74 of article 5 of title 5, of chapter 9 of the first part of the Revised Statutes, relating to trespasses upon lands," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Hamilton	McKenzie	Saxton
Ainsworth	Davidson	Hitt	McLaughlin	Schaaff
Andrus	Decker	Hughes	McMaster	Smith, C.
Aspinall	Demarest	Husted	Mead	Smith, T.
Baker, A. B.	Duffy	Kelly	Mesick	Stevens
Baker, A. H.	Dunham	Kent	Miley	Sullivan
Barton	Dunlap	Kerrigan	Miller	Tefft
Bauer	Edwards	Kimball	Moody	Towne
Blanchfield	Enz	King	Murray	Townsend
Blumenthal	Fish	Lane	Newschafer	Treadway
Brown	Fitts	Lewis	Nixon	Van Gorder
Bush, R. P.	Gallup	Little	Pearsall	Walters
Cheney	Graham	Loder	Peck	West
Comstock	Greene	Longley	Rhodes	Whipple
Coon	Groat	Martin	Ryan	Yates
Cottrell	Guenther	McCann	Saunders	Young
Cronin	Haffner	McCarren	Savery	Youngman
Crosby	Haggerty			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 865) entitled "An act to authorize and empower the State Board of Claims to hear, audit and determine the claim of Steuben county for moneys expended in the prosecution and conviction of Thomas Redding, an inmate of the New York State Soldiers and Sailors' Home, for the murder of Patrick Dowling, a police sergeant at said Home at Bath, and to include therein a reasonable compensation for the counsel for said Thomas Redding, and to make awards therefor," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Cronin	Hamilton	McKenzie	Savery
Ainsworth	Crosby	Hitt	McLaughlin	Saxton
Andrus	Curtis	Hughes	McMaster	Schaaff
Aspinall	Davidson	Hunting	Mead	Sheehan
Baker, A. B.	Decker	Husted	Mesick	Smith, C.
Baker, A. H.	Demarest	Kelly	Miley	Smith, T.
Barton	Duffy	Kent	Miller	Sperry
Bauer	Dunlap	Kerrigan	Moffitt	Stevens
Blanchfield	Edwards	Kimball	Moody	Sullivan
Blumenthal	Enz	King	Mullaney	Tefft
Brown	Fish	Lane	Murray	Townsend
Brownell	Fitts	Lewis	Newschafer	Treadway
Bush, R. P.	Flaherty	Little	Pearsall	Walters
Cheney	Graham	Loder	Peck	West
Clarke, C. C.	Greene	Longley	Rhodes	Whipple
Comstock	Groat	Maynard	Roesch	Yates
Connelly	Guenther	McCann	Ryan	Young
Coon	Haffner	McCarren	Saunders	Youngman
Cottrell	Haggerty			

For the negative,
Clark, J.

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 807) entitled "An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica, and the acts amendatory thereof,'" having been announced for a third reading.

On motion of Mr. A. B. Baker, and by unanimous consent, the same was amended as follows:

Section 1, line 19, printed bill, after the word "receive," insert the word "such," and after the word "dollars" insert the words "as the common council of the city of Utica shall determine."

Said bill as amended was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Hughes	McLaughlin	Savery
Ainsworth	Davidson	Hunting	Mead	Saxton
Aspinall	Decker	Husted	Mesick	Schaaff
Baker, A. B.	Demarest	Kelly	Miley	Smith, T.
Baker, A. H.	Duffy	Kent	Miller	Sperry
Barton	Dunham	Kerrigan	Moffitt	Stevens

Bauer	Edwards	Kimball	Moody	Sullivan
Blanchfield	Enz	King	Mullaney	Tefft
Blumenthal	Fish	Lane	Murray	Towne
Brown	Fitts	Little	Newschafer	Townsend
Brownell	Graham	Loder	Pearsall	Treadway
Clark, J.	Greene	Longley	Peck	Walters
Clarke, C. C.	Groat	Maynard	Rhodes	West
Comstock	Haffner	McCann	Roesch	Whipple
Coon	Haggerty	McCarren	Ryan	Yates
Cottrell	Hitt	McKenzie	Saunders	Young
Crosby				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 809) entitled "An act to prevent deception in sales of vinegar, and charging the New York State Dairy Commissioner with its enforcement," having been announced for a third reading,

On motion of Mr. Newschafer, the same was laid aside until to-morrow.

The Senate bill (No. 288) entitled "An act to amend chapter 117 of the Laws of 1874, entitled 'An act to provide for the election and appointment of registers and inspectors of elections and poll clerks in Long Island City,' and to provide for the division of election districts" (Rec. No. 118), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Flaherty	Longley	Saunders
Ainsworth	Coon	Gallup	McKenzie	Savery
Andrus	Cottrell	Graham	McMaster	Saxton
Aspinall	Cronin	Guenther	Mead	Schaaft
Baker, A. B.	Crosby	Haffner	Mesick	Sheehan
Baker, A. H.	Curtis	Haggerty	Miley	Smith, M. A.
Barton	Davidson	Hamilton	Miller	Smith, T.
Bauer	Decker	Hughes	Moffitt	Stevens
Blanchfield	Demarest	Hunting	Moody	Sullivan
Blumenthal	Duffy	Husted	Mullaney	Towne
Brown	Dunham	Kelly	Newschafer	Townsend
Brownell	Dunlap	Kent	Nixon	Treadway
Cheney	Edwards	Kimball	Pearsall	Walters
Clark, J.	Enz	Lane	Rhodes	Whipple
Clarke, C. C.	Fish	Little	Roesch	Yates
Comstock	Fitts	Loder	Ryan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 319) entitled "An act relating to the practice of pharmacy" (Rec. No. 119), was read the third time.

Mr. Speaker, put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Flaherty	Lane	Peck
Ainsworth	Connelly	Graham	Loder	Rhodes
Andrus	Coon	Greene	Longley	Roesch
Aspinall	Cottrell	Groat	McCann	Saunders
Baker, A. B.	Cronin	Guenther	McKenzie	Saxton
Baker, A. H.	Curtis	Haffner	McLaughlin	Sheehan
Barton	Davidson	Haggerty	McMaster	Smith, C.
Bauer	Decker	Hitt	Mead	Smith, T.
Blanchfield	Demarest	Hughes	Mesick	Sperry
Blumenthal	Dinehart	Hunting	Miley	Tefft
Brown	Duffy	Husted	Moffitt	Towne
Brownell	Dunham	Kelly	Murray	Townsend
Bush, R. P.	Dunlap	Kent	Newschafer	Walters
Cheney	Enz	Kerrigan	Nixon	West
Clark, J.	Fish	Kimball	Pearsall	Young
Clarke, C. C.	Fitts	King		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 566) entitled "An act to enforce the collection of the taxes levied in the county of Wayne," having been announced for a third reading,

On motion of Mr. Groat, and by unanimous consent, the same was amended as follows:

Section 1, line 3, strike out the word "amount" and insert in place thereof the word "account."

Same section, line 4, after the word "treasurer's" insert the word "certificate."

Same section, line 6, after the words "taxes on" insert the words "corporations, or on."

Same section, line 7, strike out the word "land."

Same section, line 8, strike out the word "unpaid."

Section 3, line 2, strike out the words "if any taxes" and insert in place thereof the words "shall reject all taxes which shall be found erroneous, or."

Same section, line 3, before the word "imperfectly" insert the words "erroneously or," and after the word "described" strike out the words "or so erroneously assessed in form or in substance."

Same section, line 5, after the word "transcript" strike out the words "of such assessment" and insert in place thereof the words "thereof, stating therein the cause of such rejection."

Same section, line 7, strike out the words "a correct" and insert in place thereof the words "an accurate," and after the word "description" strike out the words "of the" and insert in place thereof the

word "such," and after the word "lands" strike out the words "so imperfectly described" and insert in place thereof the words "and the correct amount of taxes thereon."

Section 6, line 8, after the word "days" strike out the word "to."

Same section, line 14, change the word "may" to "shall."

Same section, line 16, after the word "pay" insert the word "therefor."

Same section, line 17, strike out the words "chargeable thereon" and insert in place thereof the words "for which such parcel or lot was liable to sale, with legal interest."

Section 7, line 2, after the word "sale" insert the words "and if such purchaser shall refuse or neglect to pay the same within said time, the county treasurer may state an account against him and deliver it to the district attorney of said county, who shall be entitled to recover the same from the purchaser by an action in the name of the board of supervisors of such county, and for that purpose he shall forthwith cause a suit to be instituted therefor."

Same section, line 5, after the word "paid" insert the word "therefor."

Section 8, line 2, after the word "aforesaid" insert the words "or any other person."

Same section, line 4, after the word "heirs" strike out the word "and" and insert the word "or."

Section 9, lines 5 and 6, strike out the word "preparing."

Section 12, line 4, strike out the words "land by any person claiming a part of such," and insert the words "a specified or an undivided part of a lot or parcel of."

Same section, line 3, strike out the words "part of the."

Same section, line 10, after the word "redemption," insert the words "to the repayment to purchasers at tax sales, their heirs or assigns, of the purchase money and interest, and expenses paid thereon to redeem lands sold at tax sales."

Section 14, line 4, after the word "claiming," insert the words "under him."

Same section, line 8, after the word "publishing," insert the words "notices of."

Said bill as amended was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Greene	Maynard	Ryan
Ainsworth	Cronin	Groat	McCann	Saunders
Aspinall	Crosby	Guenther	McKenzie	Savery
Baker, A. B.	Curtis	Haffner	Mead	Saxton
Baker, A. H.	Davidson	Haggerty	Mesick	Schaaff
Barton	Decker	Hamilton	Miley	Sperry

Bauer	Demarest	Hitt	Moffitt	Stevens
Blanchfield	Dinehart	Hughes	Moody	Tefft
Blumenthal	Duffy	Hunting	Mullaney	Townsend
Brown	Dunham	Husted	Murray	Treadway
Brownell	Dunlap	Kimball	Newschafer	Van Gorder
Bush, R. P.	Edwards	King	Nixon	Walters
Cheney	Enz	Lane	Pearsall	West
Clark, J.	Fish	Little	Peck	Whipple
Clarke, C. C.	Fitts	Loder	Rhodes	Yates
Connelly	Flaherty	Longley	Roesch	Young
Coon	Graham	Martin		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 161) entitled "An act to amend chapter 542 of the Laws of 1880, entitled 'An act to provide for raising taxes for the use of the State upon certain corporations, joint-stock companies and associations,' as amended by chapter 359 of the Laws of 1885" (Rec. No. 94), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 77 }
{ NOES 3 }

Those who voted in the affirmative, were

Acker	Coon	Groat	Martin	Ryan
Andrus	Cottrell	Haffner	Maynard	Saunders
Aspinall	Curtis	Haggerty	McCann	Schaaff
Baker, A. B.	Davidson	Hamilton	McKenzie	Sheehan
Baker, A. H.	Decker	Hughes	McMaster	Smith, C.
Barton	Dinehart	Hunting	Mead	Stevens
Bauer	Duffy	Kelly	Miley	Sullivan
Blanchfield	Dunlap	Kent	Moffitt	Tefft
Blumenthal	Edwards	Kerrigan	Moody	Towne
Brown	Enz	Kimball	Murray	Treadway
Brownell	Fish	Lane	Newschafer	Van Gorder
Bush, R. P.	Fitts	Lewis	Nixon	Walters
Clark, J.	Flaherty	Little	Pearsall	West
Clarke, C. C.	Gallup	Loder	Peck	Whipple
Comstock	Graham	Longley	Roesch	Yates
Connelly	Greene			

Those who voted in the negative, were

Blake Cronin Crosby

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 569) entitled "An act to amend chapter 613 of the Laws of 1886, entitled 'An act to incorporate the Callicoon Bridge Company, in Sullivan county,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Guenther	Maynard	Saunders
Ainsworth	Connelly	Haffner	McCann	Savery
Andrus	Cronin	Haggerty	McKenzie	Saxton
Aspinall	Crosby	Hamilton	McMaster	Schaaff
Baker, A. B.	Curtis	Hitt	Mead	Smith, C.
Baker, A. H.	Davidson	Hughes	Mesick	Sperry
Barton	Decker	Huntting	Moody	Stevens
Bauer	Demarest	Husted	Murray	Sullivan
Blanchfield	Dunlap	Kelly	Newschafer	Tefft
Blumenthal	Edwards	Kerrigan	Nixon	Towne
Brown	Enz	Kimball	Pearsall	Townsend
Brownell	Fish	Little	Peck	Walters
Bush, R. P.	Fitts	Loder	Rhodes	West
Cheney	Graham	Longley	Roesch	Whipple
Clark, J.	Greene	Martin	Ryan	Yates
Clarke, C. C.	Groat			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 571) entitled "An act to authorize the Superintendent of Public Works to build an embankment from the State dam to the aqueduct along the east side of the Schoharie creek at Fort Hunter, Montgomery county, for the protection of the Erie canal, and making an appropriation therefor," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Graham	Longley	Roesch
Ainsworth	Connelly	Greene	Martin	Ryan
Andrus	Coon	Groat	Maynard	Saunders
Aspinall	Cottrell	Guenther	McCann	Schaaff
Baker, A. B.	Cronin	Haffner	McKenzie	Smith, C.
Baker, A. H.	Crosby	Haggerty	McLaughlin	Smith, T.
Barton	Curtis	Hamilton	McMaster	Sperry
Bauer	Davidson	Hughes	Mead	Stevens
Blanchfield	Decker	Huntting	Mesick	Sullivan
Blumenthal	Demarest	Kelly	Moffitt	Tefft
Brown	Dinehart	Kent	Moody	Townsend
Brownell	Dunlap	Kerrigan	Murray	Treadway

Bush, R. P.	Edwards	Kimball	Newschafer	Walters
Cheney	Enz	King	Pearsall	West
Clark, J.	Fish	Little	Rhodes	Yates
Clarke, C. C.	Fitts	Loder		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 217) entitled "An act to amend chapter 519 of the Laws of 1887, entitled 'An act to provide for public school-houses in Long Island City'" (Rec. No. 161), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Greene	Martin	Roesch
Andrus	Cronin	Groat	Maynard	Ryan
Aspinall	Crosby	Guenther	McCann	Saunders
Baker, A. B.	Davidson	Haffner	McKenzie	Savery
Baker, A. H.	Decker	Haggerty	McLaughlin	Smith, C.
Barton	Demarest	Harwood	McMaster	Sperry
Bauer	Dinehart	Hitt	Mead	Sullivan
Blanchfield	Dunham	Hughes	Moffitt	Tefft
Blumenthal	Dunlap	Hunting	Moody	Towne
Brown	Edwards	Kelly	Mullaney	Townsend
Brownell	Enz	Kent	Murray	Upson
Cheney	Fish	Kimball	Newschafer	Van Gorder
Clark, J.	Fitts	King	Pearsall	West
Clark, C. C.	Flaherty	Little	Peck	Whipple
Comstock	Gallup	Loder	Rhodes	Yates
Connelly	Graham	Longley		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 574) entitled "An act to permit the Brookfield Railway Company to use steel rails of fifty-six pounds to the lineal yard, and to charge five cents per mile for carrying each passenger and his ordinary baggage over its road," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 2 }

Those who voted in the affirmative, were

Acker	Curtis	Haggerty	McCann	Schaaff
Aspinall	Davidson	Hamilton	McKenzie	Sheehan
Baker, A. B.	Decker	Harwood	McLaughlin	Smith, C.

Baker, A. H.	Demarest	Hitt	McMaster	Smith, M. A.
Barton	Dinehart	Hughes	Mead	Smith, T.
Bauer	Duffy	Hunting	Mesick	Stevens
Blanchfield	Enz	Kelly	Miley	Tefft
Blumenthal	Fish	Kent	Moffitt	Towne
Brown	Fitts	Kimball	Moody	Townsend
Brownell	Flaherty	King	Murray	Treadway
Cheney	Gallup	Lane	Newschafer	Van Gorder
Clarke, C. C.	Graham	Little	Peck	Walters
Comstock	Greene	Loder	Roesch	West
Connelly	Groat	Longley	Ryan	Whipple
Coon	Guenther	Martin	Saunders	Yates
Crosby	Haffner	Maynard	Savery	Young

Those who voted in the negative, were

Cronin Pearsall

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 317) entitled "An act to provide for the erection of suitable tablets to commemorate the services of certain soldiers of the State of New York who were engaged in the battle of Gettysburg, and making an appropriation therefor" (Rec. No. 131), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Haggerty	McCann	Saunders
Ainsworth	Davidson	Hamilton	McKenzie	Savery
Andrus	Decker	Harwood	McLaughlin	Schaaff
Aspinall	Demarest	Hughes	McMaster	Smith, C.
Baker, A. B.	Dinehart	Hunting	Mead	Stevens
Baker, A. H.	Duffy	Kelly	Mesick	Tefft
Barton	Dunlap	Kent	Miley	Towne
Bauer	Edwards	Kimball	Moffitt	Townsend
Blanchfield	Enz	Lane	Moody	Treadway
Blumenthal	Fish	Larmon	Murray	Van Gorder
Brown	Flaherty	Lewis	Newschafer	West
Brownell	Graham	Little	Nixon	Whipple
Cheney	Greene	Loder	Pearsall	Yates
Clarke, C. C.	Groat	Longley	Rhodes	Young
Connelly	Guenther	Martin	Roesch	Youngman
Cottrell	Haffner	Maynard	Ryan	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 611) entitled "An act to authorize the city of Cohoes

to acquire and pay for lands necessary for altering, straightening and widening Saratoga street in said city, between Spring street and Main street," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Groat	Martin	Ryan
Andrus	Curtis	Guenther	Maynard	Saunders
Aspinall	Davidson	Haffner	McCann	Savery
Baker, A. B.	Decker	Haggerty	McKenzie	Schaaff
Baker, A. H.	Demarest	Hamilton	McLaughlin	Smith, T.
Barton	Dinehart	Harwood	McMaster	Sullivan
Bauer	Duffy	Hitt	Mead	Tefft
Blanchfield	Dunham	Hughes	Mesick	Towne
Blumenthal	Dunlap	Huntting	Moffitt	Townsend
Brown	Edwards	Husted	Moody	Treadway
Brownell	Enz	Kent	Newschafer	Van Gorder
Cheney	Fish	Kimball	Nixon	West
Clark, J.	Fitts	Lane	Pearsall	Whipple
Clarke, C. C.	Flaherty	Le Roy	Peck	Yates
Comstock	Gallup	Little	Rhodes	Young
Connelly	Graham	Loder	Roesch	Youngman
Coon	Greene	Longley		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No 619) entitled "An act to authorize the repairing of the damage to a public highway leading from the village of Castorland to the bridge over the Black river in the town of Denmark, in the county of Lewis, caused by the overflow of said river by reason of the State dam thereon, and to so alter said highway as to prevent future damage from said cause, and making an appropriation therefor," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Graham	Loder	Rhodes
Andrus	Cottrell	Greene	Longley	Roesch
Aspinall	Cronin	Groat	Martin	Saunders
Baker, A. B.	Crosby	Guenther	Maynard	Savery
Baker, A. H.	Curtis	Haggerty	McCann	Smith, T.

Barton	Davidson	Hamilton	McKenzie	Stevens
Bauer	Decker	Harwood	McLaughlin	Sullivan
Blanchfield	Demarest	Hitt	McMaster	Tefft
Blumenthal	Dinehart	Hughes	Mead	Treadway
Brown	Dunlap	Hunting	Miley	Van Gorder
Brownell	Edwards	Husted	Moffitt	Walters
Bush, R. P.	Enz	Kelly	Moody	West
Cheney	Fish	Kent	Murray	Whipple
Clark, J.	Fitts	Lane	Nixon	Yates
Clarke, C. C.	Flaherty	Lewis	Pearsall	Youngman
Comstock	Gallup	Little	Peck	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Husted introduced a bill entitled "An act to amend section 8 of chapter 230 of the Laws of 1887, entitled 'An act to amend and revise the charter of the village of Sing Sing, in the county of Westchester, and all acts supplementary thereto and amendatory thereof'" (Int. No. 1180), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Greene	Little	Rhodes
Ainsworth	Crosby	Groat	Loder	Saunders
Andrus	Curtis	Guenther	Longley	Savery
Aspinall	Davidson	Haffner	Martin	Smith, T.
Baker, A. B.	Decker	Haggerty	Maynard	Sperry
Baker, A. H.	Demarest	Hamilton	McKenzie	Stevens
Barton	Dinehart	Harwood	McLaughlin	Sullivan
Bauer	Duffy	Hitt	McMaster	Towne
Blanchfield	Dunham	Hughes	Mead	Townsend
Blumenthal	Dunlap	Hunting	Mesick	Treadway
Brownell	Edwards	Husted	Moffitt	Van Gorder
Bush, R. P.	Enz	Kelly	Moody	Walters
Cheney	Fish	Kent	Mullaney	West
Clarke, C. C.	Fitts	Kimball	Nixon	Yates
Comstock	Flaherty	Lane	Pearsall	Young
Coon	Gallup	Lewis	Peck	Youngman
Cottrell	Graham			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 621) entitled "An act to amend section 316 of the Code

of Civil Procedure, relating to the jurisdiction of the city court of New York," having been announced for a third reading,

On motion of Mr. Newschafer, and by unanimous consent, the same was amended as follows: COMMITTEE

Strike out all of subdivision 3.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 74 }
{ NOES 23 }

Those who voted in the affirmative, were

Acker	Edwards	Husted	Mead	Smith, T.
Ainsworth	Enz	Kelly	Mesick	Sperry
Andrus	Fish	Kent	Miley	Stevens
Barton	Fitts	Kerrigan	Moffitt	Sullivan
Blumenthal	Flaherty	Kimball	Moody	Tefft
Brown	Graham	King	Murray	Towne
Brownell	Greene	Lane	Newschafer	Treadway
Bush, R. P.	Groat	Lewis	Pearsall	Van Gorder
Clark, J.	Guenther	Little	Rhodes	Walters
Clarke, C. C.	Haggerty	Maynard	Roesch	West
Coon	Hamilton	McCann	Ryan	Whipple
Cottrell	Harwood	McCarren	Saunders	Yates
Curtis	Hitt	McKenzie	Savery	Young
Davidson	Hughes	McLaughlin	Schaaff	Youngman
Decker	Hunting	McMaster	Sheehan	

Those who voted in the negative, were

Aspinall	Cheney	Demarest	Haffner	Mullaney
Baker, A. B.	Comstock	Dinehart	Loder	Nixon
Baker, A. H.	Connolly	Duffy	Longley	Peck
Bauer	Cronin	Dunham	Martin	Townsend
Blanchfield	Crosby	Gallup		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 385) entitled "An act to amend section 6 of chapter 2 of title 9 of chapter 461 of the Laws of 1871, entitled 'An act to revise the charter of Long Island City'" (Rec. No. 235), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Groat	McCann	Saunders
Ainsworth	Cottrell	Haffner	McCarren	Savery
Andrus	Cronin	Hamilton	McKenzie	Schaaff

Aspinall	Crosby	Harwood	McLaughlin	Sheehan
Baker, A. B.	Curtis	Hughes	McMaster	Smith, T.
Baker, A. H.	Davidson	Huntting	Mead	Sperry
Bauer	Decker	Husted	Mesick	Stevens
Blanchfield	Demarest	Kent	Miley	Sullivan
Blumenthal	Dinehart	Kerrigan	Moffitt	Tefft
Brown	Dunham	Lane	Moody	Towne
Brownell	Dunlap	Lewis	Mullaney	Townsend
Bush, R. P.	Edwards	Little	Murray	Treadway
Cheney	Enz	Loder	Pearsall	Walters
Clark, J.	Fitts	Longley	Peck	West
Clarke, C. C.	Graham	Martin	Rhodes	Young
Comstock	Greene	Maynard	Roesch	Youngman
Connelly				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Andrus moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

The bill (No. 623) entitled "An act for the more effectual protection of the fish in the waters of Lake Ontario, and in the American waters of the Niagara river, and in the waters of Erie and Niagara counties," having been announced for a third reading,

Mr. Harwood moved to strike out section 1.

Mr. Speaker put the question whether the House would agree to said motion and it was determined in the negative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 52 }
{ NOES 19 }

Those who voted in the affirmative, were

Acker	Cottrell	Haggerty	McCarren	Saunders
Ainsworth	Crosby	Hamilton	McKenzie	Sperry
Andrus	Curtis	Hughes	McMaster	Stevens
Aspinall	Decker	Huntting	Mead	Tefft
Baker, A. B.	Dunlap	Husted	Mesick	Towne
Baker, A. H.	Enz	Kimball	Moffit	Van Gorder
Bauer	Fish	King	Moody	Walters
Brown	Fitts	Lewis	Pearsall	Whipple
Cheney	Flaherty	Little	Peck	Yates
Clark, J.	Gallup	Lozier	Rhodes	Youngman
Coon	Groat			

Those who voted in the negative, were

Bush, R. P.	Graham	Kent	Miley	Sheehan
Davidson	Haffner	Kerrigan	Mullaney	Sullivan
Dunham	Harwood	Longley	Newschafer	Young
Endres	Kelly	McCann	Schaaff	

Mr. Little moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

"An act to release certain lands which have escheated to the State, to Johann Heinrich Straack, Anna Margaretha Schmidt and Elizabeth Mueller, children of Gottfried Straack, late of the city of Buffalo, and to enable said children to convey the same." (No. 113.)

"An act giving the consent of the State of New York to the purchase, by the United States, of land in the city of New York, for the purpose of an appraisers warehouse and other purposes." (Int. No. 1143.)

"An act transferring the powers conferred on the board of water commissioners of the village of Fredonia by chapter 97 of the Laws of 1882, and conferring the same upon the board of trustees of said village." (No. 927.)

"An act to amend chapter 375 of the Laws of 1886, entitled 'An act in relation to floating logs, lumber or other timber in Grass river, in the county of St. Lawrence.'" (No. 1020.)

"An act to amend section 36 of article 2 of title 1 of chapter 15 of part 1 of the Revised Statutes, relating to the powers and duties of the trustees of colleges." (No. 522.)

"An act to amend sections 409 and 410 of the Penal Code of the State of New York, relating to dangerous weapons." (No. 146.)

"An act to amend section 407 of the Penal Code, with reference to the adulteration of food, drugs and liquors." (No. 342.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the Senate bill entitled "An act to authorize the Fifth Avenue Transportation Company (limited), or its assigns, to run stages from the Bleecker Street Elevated Railway station on South Fifth avenue, in the city of New York, through South Fifth avenue, Canal and West streets to the Desbrosses street ferry and return, and also from Fifth avenue through Sixty-third street, University Place and Ninth street to Broadway and return," with a message that they have concurred in the amendments of the Assembly thereto.

Ordered, That the Clerk return said bill to the Senate.

On motion of Mr. Hamilton, the House adjourned.

THURSDAY, APRIL 11, 1889.

The House met pursuant to adjournment.

Prayer by Rev. G. W. Miller.

On motion of Mr. Brown, the journal of yesterday was approved without being read.

Mr. Husted in the chair.

Mr. Brown introduced a bill entitled "An act to authorize the trustees of the village of Oneonta, in the county of Otsego to issue bonds

for the purpose of grading, curbing and paving certain streets in said village, and to provide for the payment thereof" (Int. No. 1181), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Brown, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Gallup	Loder	Saunders
Ainsworth	Curtis	Graham	Longley	Savery
Baker, A. B.	Dante	Greene	Martin	Schaaff
Baker, A. H.	Davidson	Haffner	Maynard	Smith, T.
Bauer	Decker	Hagan	McCarren	Stevens
Blake	Demarest	Haggerty	McKenzie	Strassburg
Blanchfield	Dinehart	Hamilton	McMaster	Sullivan
Blumenthal	Donaldson	Harwood	Mead	Tefft
Brown	Dunham	Hughes	Mesick	Treadway
Bush, R. P.	Dunlap	Hunting	Moody	Van Gorder
Carson	Edwards	Husted	Pearsall	Walters
Cheney	Endres	Kent	Rhodes	West
Comstock	Enz	Kimball	Rice	Whipple
Connelly	Fish	Lane	Roesch	Yetman
Coon	Fitts	Lewis	Ryan	Young
Creamer	Flaherty	Little		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 9, 1889. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 843, entitled "An act to amend sections 1141, 1142 and 1143 of the Code of Civil Procedure, relating to the drawing of jurors in Kings county."

DAVID B. HILL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Groat	Martin	Ryan
Ainsworth	Curtis	Guenther	Maynard	Saunders
Baker, A. H.	Dante	Haffner	McAdam	Schaaff
Bauer	Davidson	Hagan	McKenzie	Smith, T.
Blake	Decker	Haggerty	McMaster	Sperry
Blanchfield	Demarest	Hamilton	Mead	Stevens
Blumenthal	Dinehart	Harwood	Mesick	Strassburg
Brown	Dunlap	Hughes	Moody	Sullivan
Bush, R. P.	Edwards	Hunting	Murray	Townsend
Carson	Endres	Husted	O'Neil	Van Gorder
Clark, J.	Enz	Kent	Pearsall	Walters
Comstock	Fitts	Kimball	Peck	West
Connelly	Flaherty	Little	Rhodes	Yates
Coon	Gallup	Loder	Rice	Yetman
Creamer	Graham	Longley	Roesch	Young
Cronin	Greene			

The vote upon the final passage of said bill having been reconsidered, On motion of Mr. Haggerty, and by unanimous consent, the same was amended as follows:

Add as section 4:

§ 4. Section 1146 of the Code of Criminal Procedure is hereby amended so as to read as follows:

§ 1146. Immediately after each drawing of trial jurors the commissioner, or in case of his absence his chief clerk, must prepare a panel, verified by his affidavit, containing the names of the jurors drawn, with the proper additions of each, and stating for what court and for what term they were drawn. He must transmit the panel to the sheriff of the county, who must keep it on file in his office for public inspection. The sheriff must forthwith notify each juror, named therein to attend the term for which he was drawn by serving upon him a notice to that effect addressed to him. The notice may be served personally or by leaving it at the juror's residence or usual place of business, with a person of proper age and discretion. It must specify the days during which the juror is required to be present, and it may contain copies of such portions of this article as the sheriff deems proper.

Amend the title by inserting after the words "eleven hundred and forty-three" the words "and eleven hundred and forty-six."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Hughes	Mesick	Smith, T.
Ainsworth	Denfares	Hunting	Miller	Sperry
Andrus	Dinehart	Husted	Moody	Stevens

Baker, A. B.	Dunham	Kent	O'Neil	Strassburg
Baker, A. H.	Dunlap	Kimball	Pearsall	Sullivan
Bauer	Edwards	Lane	Peck	Tefft
Blanchfield	Endres	Le Roy	Rhodes	Towne
Blumenthal	Enz	Lewis	Rice	Treadway
Bysh, R. P.	Fitts	Little	Roesch	Van Gorder
Carson	Graham	Longley	Ryan	Walters
Cheney	Greene	Martin	Saunders	West
Comstock	Groat	Maynard	Savery	Whipple
Connelly	Guenther	McAdam	Saxton	Yates
Cottrell	Haffner	McKenzie	Schaaff	Yetman
Dante	Hagan	McMaster	Smith, M. A.	Young
Davidson	Haggerty	Mead		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein, as amended.

The Senate returned the bill entitled "An act to amend chapter 441 of the Laws of 1888, entitled 'An act to amend and make additions to chapter 463 of the Laws of 1860, entitled An act to revise the charter of the city of Oswego, and the acts amendatory thereof'" (Int. No. 1136), with a message that they have concurred in the passage of the same, with the following amendments:

Strike out all after the enacting clause and insert the following:

SECTION 1. Sections 39, 40 and 49 of chapter 463 of the Laws of 1860, entitled "An act to revise the charter of the city of Oswego, and acts amendatory thereof," as amended by chapter 441 of the Laws of 1888, are hereby respectively amended to read as follows:

§ 39. It shall be the duty of the city chamberlain of the city of Oswego, in each year immediately after the corrected lists of unpaid city taxes shall have been filed by him in the clerk's office of Oswego county, as herein provided, to make and retain in his office a copy thereof, adding to each one of such unpaid taxes the sum of twenty-five cents for filing, and one dollar for reassessing the same, together with the fees enumerated in sections 34 and 36 of this act.

§ 40. The said city chamberlain shall thereupon proceed to collect all said unpaid taxes as follows: Whenever any such tax charged on real estate in said city and the interest thereon at the rate of twelve per centum per annum, to be computed from the thirtieth day of November, when such tax was payable with the fees and expenses mentioned in sections 34, 36 and 39 of this act, shall remain unpaid upon the first day of June, next following said thirtieth day of November, the city chamberlain shall proceed to advertise and sell such real estate in the manner hereinafter provided for the payment of such tax, fees, interest and expenses, and the expense of advertising and selling the same shall be a charge on the land sold, and shall be added to and made a part of such tax.

§ 49. All the provisions of this act shall apply to and include the collection of all local assessments and taxes for local improvements, provided that no sale of real estate for any unpaid local assessments shall be made within one year from the time when the same became due and payable. During the first thirty days after the assessment-roll and warrant for the collection of any local assessment shall be delivered to the city

chamberlain, every person, corporation or association may pay his, her or their tax without any additional charges. During the next succeeding thirty days three per centum fees shall be added to the tax and collected by the city chamberlain, and after the expiration of such last-named period, and during the next sixty days, five per centum fees shall be added to the tax and collected by him, and after the expiration of said sixty days the fees shall be twelve per centum per annum, in addition to the five per centum aforesaid. The notice specified in section 35, preceding, shall apply to all such local assessments, and shall be served as and in the manner by said section required after the expiration of the second period of thirty days aforesaid, and such notice shall require payment of such taxes as then remain unpaid to be made before the expiration of the sixty days during which payment of five per centum fees are required, and it shall not be necessary to make any other demand of payment of said taxes.

§ 2. This act shall take effect immediately.

Amend the title so as to read as follows:

"An act to amend chapter 463 of the Laws of 1860, entitled 'An act to revise the charter of the city of Oswego, and the acts amendatory thereof.'"

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Groat	McCarren	Schaaff
Adams	Crosby	Guenther	McKenzie	Sheehan
Ainsworth	Curtis	Hagan	McMaster	Smith, M. A.
Andrus	Dante	Haggerty	Mead	Smith, T.
Baker, A. B.	Davidson	Harwood	Mesick	Strassburg
Baker, A. H.	Decker	Hitt	Moody	Sullivan
Bauer	Demarest	Hughes	Murray	Tefft
Blanchfield	Dinehart	Hunting	O'Neil	Treadway
Blumenthal	Edwards	Husted	Pearsall	Van Gorder
Brown	Endres	Kimball	Peck	Walters
Brownell	Enz	Lane	Roesch	West
Carson	Fitts	Le Roy	Ryan	Whipple
Comstock	Flaherty	Longley	Saunders	Yates
Connolly	Gallup	Martin	Savery	Yetman
Coon	Graham	Maynard	Saxton	Young
Creamer	Greene	McAdam		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages, as amended by chapter 242 of the Laws of 1875, as amended by chapter 281 of the Laws of 1878, and as amended by chapter 236 of

the Laws of 1885'' (No. 391), with a message that they have concurred in the passage of the same with the following amendments:

Section 1, line 5, strike out the words "and the acts amendatory thereof," and insert in lieu thereof the words "as amended by chapter two hundred and forty-two of the laws of eighteen hundred and seventy-five, and chapter two hundred and eighty-one of the laws of eighteen hundred and seventy-eight, and chapter two hundred and thirty-six of the laws of eighteen hundred and eighty-five."

Same section, same line, after the word "hereby," insert the word "further."

Same section, lines 30, 31 and 32, strike out the words "width in feet of the lots in front of which said sewer shall be made, or which are benefited thereby," and insert in place thereof the words "benefits accruing to said lots respectively."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Guenther	Martin	Roesch
Adams	Curtis	Haffner	Maynard	Ryan
Ainsworth	Dante	Haggerty	McAdam	Saunders
Baker, A. B.	Davidson	Hamilton	McCarren	Savery
Bauer	Decker	Harwood	McKenzie	Saxton
Blanchfield	Dinehart	Hughes	Mead	Schaaff
Blumenthal	Donaldson	Huntting	Mesick	Smith, T.
Brown	Dunhan	Husted	Miller	Sperry
Brownell	Dunlap	Kent	Moffitt	Strassburg
Bush, R. P.	Endres	Kimball	Murray	Sullivan
Carson	Enz	Lane	Nixon	Walters
Clark, J.	Fitts	Le Roy	O'Neil	West
Clarke, C. C.	Flaherty	Lewis	Pearsall	Whipple
Comstock	Graham	Little	Peck	Yates
Coon	Greene	Loder	Rhodes	Yetman
Creamer	Groat	Longley	Rice	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act to amend chapter 175 of the Laws of 1876, entitled 'An act to enable the Owego Steamboat Company to improve the navigavion of the Susquehanna river between the village of Owego, in the county of Tioga, and the city of Binghamton, in the county of Broome'" (No. 54), with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, line 1, strike out the words "An act" and insert in place thereof "chapter 175 of the Laws of 1876."

Same section, lines 5 and 6, strike out "passed April 26, 1876."

Same section, line 23, after the words "not to exceed" strike out the words "three and one-half feet" and insert instead the words "two feet."

Same section, line 24, after the words "low-water mark" insert the words "with the privilege of maintaining thereon, from the first day of May to the first day of October in each year, slash boards not to exceed one foot in height."

Same section, line 25, after the words "thirty feet wide" insert the words "and a fish-way of proper width to allow a free passage of fish in the waters of said river."

Same section, lines 27, 28 and 29, strike out the words "any person or persons wilfully injuring or destroying said dam shall be guilty of a misdemeanor" and insert in place thereof the words "Nothing in this act contained shall be construed to create any liability against the State, but the company or persons constructing or maintaining such dam shall be liable for any injuries or damages sustained by any persons occasioned by such construction or maintenance."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Guenther	Maynard	Savery
Adams	Curtis	Hagan	McAdam	Schaaff
Ainsworth	Dante	Harwood	McCarren	Smith, T.
Baker, A. B.	Davidson	Hornidge	McKenzie	Sperry
Baker, A. H.	Decker	Hughes	McMaster	Stevens
Bauer	Dinehart	Hunting	Mead	Strassburg
Blanchfield	Donaldson	Husted	Mesick	Sullivan
Brown	Dunham	Kent	Moody	Treadway
Brownell	Dunlap	Kerrigan	Nixon	Van Gorder
Bush, R. P.	Endres	Kimball	O'Neil	Walters
Carson	Enz	Lane	Pearsall	West
Clark, J.	Fish	Lewis	Peck	Whipple
Clarke, C. C.	Fitts	Little	Rhodes	Yates
Comstock	Flaherty	Loder	Rice	Yetman
Coon	Gallup	Longley	Roesch	Young
Cottrell	Graham	Martin	Saunders	Youngman
Creamer	Greene			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act to provide for the erection of a State armory in the village of Cortland, county of Cortland, and making an appropriation therefor" (No. 784), with a message that they have concurred in the passage of the same, with the following amendments:

Strike out in section 1 all after the word "therefor" and insert in place thereof the following: "But no part of this appropriation, except for plans and the necessary expenses of the commissioners, and for superintendence and inspection of the work, shall be expended by said officers, except upon contracts for the completion of said armory, and all necessary fixtures, and all necessary sewerage, within the limits of this appropriation, nor until an indefeasible title to a suitable site for such armory, to be approved by the Attorney-General, free from all incumbrance, and without cost to the State, shall be vested in the people of the State of New York."

Section 2, lines 3, 4, 5, 6 and 7, strike out the words "all work upon said armory structure, except the interior finishing and furnishing, shall be done upon contract, executed by and between the contractor or contractors, and commissioners, which" and insert in place thereof the words "the contract or contracts for building said armory."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Flaherty	Little	Savery
Adams	Cottrell	Graham	Loder	Schaaff
Ainsworth	Creamer	Greene	McAdam	Sheehan
Andrus	Cronin	Groat	McCarren	Smith, M. A.
Aspinall	Curtis	Guenther	McKenzie	Smith, T.
Baker, A. B.	Dante	Haffner	McMaster	Strassburg
Baker, A. H.	Davidson	Hagan	Murray	Sullivan
Bauer	Decker	Hamilton	Nixon	Towne
Blanchfield	Demarest	Harwood	O'Neil	Townsend
Blumenthal	Dinehart	Hornidge	Pearsall	Van Gorder
Brownell	Donaldson	Hughes	Peck	Walters
Carson	Dunham	Hunting	Rhodes	West
Clark, J.	Dunlap	Husted	Rice	Whipple
Clarke, C. C.	Enz	Kent	Roesch	Yetman
Comstock	Fish	Kerrigan	Saunders	Youngman
Connelly	Fitts	Lane		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act to amend section 4 of chapter 700 of the Laws of 1881, entitled 'An act to provide for the liability of towns and commissioners of highways in certain cases'" (No. 358), with a message that they have concurred in the passage of the same with the following amendments:

Section 1, line 15, after the word "do," insert the words "the amount so audited in settlement of any one claim not to exceed the sum of five hundred dollars."

Same section, line 18, after the word "highways," insert the words "of such town."

Same section, line 19, after the word "damages," insert the words "to person or property arising from defective roads or bridges in such town."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Creamer	Flaherty	Little	Ryan
Ainsworth	Cronin	Graham	Loder	Saunders
Andrus	Crosby	Greene	Longley	Savery
Aspinall	Curtis	Groat	Martin	Schaaff
Baker, A. B.	Dante	Guenther	Maynard	Sheehan
Baker, A. H.	Davidson	Haffner	McCarren	Smith, M. A.
Bauer	Decker	Haggerty	McMaster	Sperry
Blanchfield	Demarest	Hamilton	Mead	Stevens
Blumenthal	Dinehart	Hayes	Mesick	Sullivan
Brown	Donaldson	Hughes	Miller	Towne
Brownell	Dunham	Hunting	Newschafer	Treadway
Bush, R. P.	Dunlap	Husted	O'Neil	Van Gorder
Carson	Edwards	Kelly	Pearsall	Walters
Clark, J.	Endres	Kent	Peck	West
Comstock	Enz	Kerrigan	Rhodes	Whipple
Connelly	Fish	Lane	Rice	Yetman
Coon	Fitts	Le Roy	Roesch	Youngman
Cottrell				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act to amend chapter 189 of the Laws of 1885, entitled 'An act to establish a board of police commissioners of the city of Watertown,' and the acts amendatory thereof" (No. 443), with a message that they have concurred in the passage of the same with the following amendment:

Section 2, line 28, engrossed bill, strike out the word "fifty-five" and insert the word "sixty."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Graham	Little	Saunders
Ainsworth	Curtis	Greene	Longley	Savery
Aspinall	Dante	Groat	Martin	Schaaff

Baker, A. B.	Davidson	Guenther	Maynard	Sheehan
Baker, A. H.	Decker	Haffner	McCarren	Smith, M. A.
Bauer	Demarest	Haggerty	McKenzie	Smith, T.
Blanchfield	Dinehart	Harwood	Mead	Strassburg
Blumenthal	Donaldson	Hughes	Mesick	Sullivan
Brownell	Dunham	Hunting	Miller	Townsend
Bush, R. P.	Dunlap	Husted	Moffit	Van Gorder
Carson	Edwards	Kelly	Moody	Walters
Clark, J.	Endres	Kent	O'Neil	West
Comstock	Enz	Kerrigan	Pearsall	Whipple
Connelly	Fish	Kimball	Peck	Yates
Coon	Flaherty	Lane	Rice	Yetman
Cottrell	Gallup	Le Roy	Roesch	Youngman
Creamer				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate passed for concurrence the following entitled bills:

"An act regulating railway appliances to be used on all railway lines within the limits of the State of New York" (Rec. No. 251), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to provide for the erection of a State armory at Niagara Falls, N. Y., and making an appropriation therefor" (Rec. No. 252), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Harwood, and by unanimous consent, said bill was substituted for Assembly bill No. 875, now on the order of third reading, and ordered to be read the third time on Wednesday, April seventeenth.

"An act to amend section 597 of the Code of Criminal Procedure, relating to bail" (Rec. No. 253), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Nixon, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and committed to the committee on the judiciary, retaining its place on the order of third reading.

"An act to empower the trustees of the Willard Asylum for the Insane to grant a right of way to the Geneva and Van Ettenville Railway Company through the lands of the State appurtenant to said asylum and under the charge and management of said trustees" (Rec. No. 254), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Dunham, and by unanimous consent, said bill was substituted for Assembly bill No. 712, now on the order of third reading, relating to the same subject.

"An act to amend 305 of the Laws of 1885, entitled 'An act authorizing street surface railroad companies to contract with each other, and providing for a proper system of transfer of passengers,' and to permit partial abandonment of route by such railroad companies" (Rec. No. 255), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend section 267 of the Penal Code, relative to the sale of food on the Sabbath" (Rec. No. 256), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend section 5 of chapter 100 of the Laws of 1879, entitled 'An act relating to and to reduce the expenses of the city government of Long Island City'" (Rec. No. 257), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to authorize an examination of the claim of Thomas O'Connor, and to audit and pay the amount that may be justly due" (Rec. No. 258), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hornidge, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and committed to the committee on affairs of cities, retaining its place on the order of third reading.

"An act to amend chapter 391 of the Laws of 1885, entitled 'An act concerning the claim of William McDonald for damages on account of imprisonment under a warrant of the Senate of the State of New York'" (Rec. No. 259), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Dinkelspiel, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and committed to the committee on the judiciary, retaining its place on the order of third reading.

"An act to close a portion of One Hundred and Eleventh street in the city of New York" (Rec. No. 260), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hagan, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and committed to the committee on affairs of cities, retaining its place on the order of third reading.

"An act to amend chapter 464 of the Laws of 1887, entitled 'An act respecting the employment of honorably discharged Union soldiers and sailors in the public service of the State of New York'" (Rec. No. 261), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 53 of the Laws of 1879, entitled 'An act to revise the charter of the city of Auburn,' and the several acts amendatory thereof" (Rec. No. 262), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Savery, and by unanimous consent, said bill was substituted for Assembly bill No. 1072, now on the order of third reading.

"An act to amend sections 67 and 68 of the Code of Civil Procedure, relative to the removal of attorneys and counselors" (Rec. No. 263), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend section 2869 of the Code of Civil Procedure, relating to the jurisdiction of justices of the peace" (Rec. No. 264),

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the mayors of cities to issue special permits in cases where balls or other social entertainments are to be given" (Rec. No. 265), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on excise.

"An act to prevent deception in sales of vinegar, and charging the New York State Dairy Commissioner with its enforcement" (Rec. No. 266), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Maynard, and by unanimous consent, said bill was substituted for Assembly bill No. 809, now on the order of third reading.

"An act to amend an act entitled 'An act to amend chapter 574 of the Laws of 1873, entitled An act to incorporate the Old Guard of the city of New York'" (Rec. No. 267), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Martin, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

"An act to amend section 22 of the Code of Criminal Procedure, relating to the jurisdiction of the courts of oyer and terminer" (Rec. No. 268), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to the assessment-roll of the town of Oswegatchie, in the county of St. Lawrence" (Rec. No. 269), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Curtis, and by unanimous consent, said bill was substituted for Assembly bill No. 1041, now on the order of third reading.

"An act to amend chapter 28 of the Laws of 1882, entitled "An act for the support of the poor in the town of Oswegatchie, in the county of St. Lawrence" (Rec. No. 270), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Curtis, and by unanimous consent, said bill was substituted for Assembly bill No. 1042, now on the order of third reading.

"An act to amend chapter 175 of the Laws of 1883, entitled 'An act to provide for the incorporation and regulation of coöperative or assessment life and casualty insurance associations and societies,' as amended by chapter 285 of the Laws of 1887" (Rec. No. 271), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. R. P. Bush, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and committed to the committee on insurance, retaining its place on the order of third reading.

Mr. Speaker presented the thirtieth annual report of the Superintendent of the Insurance Department; which was laid upon the table and ordered printed.

(See Doc. No. 52.)

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill No. 297, entitled "An act to amend chapter 370 of the Laws of 1875, entitled 'An act to amend and consolidate the several acts relating to the city of Elmira,'" with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The privileges of the floor were extended to Hons. A. C. Brundage, Franz S. Wolf, Wm. J. Hines, Robert W. Evans and E. M. Goring.

On motion of Mr. Ainsworth, the privileges of the floor were extended to Will Carlton.

Mr. Speaker called from the table the report of the subcommittee of the whole (Assem. Doc. No. 93), in favor of the passage of the following entitled bills :

Int. 700, No. 805, "An act to amend chapter 58 of the Laws of 1887, entitled 'An act to revise and amend chapter 290 of the Laws of 1835, entitled An act to incorporate the village of Homer, and the several acts which revise and amend the same.'"

Int. No. 931, No. 847, "An act to provide for the payment of the salary of John A. Stemmler as justice of the district court in the city of New York for the seventh judicial district."

Int. 823, No. 943, "An act to amend section 343 of the Penal Code, relating to wagers, betting and gambling."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bills ordered to a third reading and referred to the committee on revision.

On motion of Mr. Peck, and by unanimous consent, Assembly bill No. 805, entitled "An act to amend chapter 58 of the Laws of 1887, entitled 'An act to revise and amend chapter 290 of the Laws of 1835, entitled An act to incorporate the village of Homer, and the several acts which revise and amend the same,'" now on the order of third reading, was made a special order for Tuesday morning, April sixteenth.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill, Int. No. 512, entitled "An act to legalize and confirm the merger and consolidation of Washington Street and State Asylum Railroad Company and the Park Avenue Railroad Company into the Washington Street Asylum and Park Railroad Company in the city of Binghamton" (Rec. No. 148), for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Moody offered for the consideration of the House a resolution, in the words following:

Resolved, That Senate bill, not printed, Rec. No. 205, entitled "An act supplementary to section 1 of chapter 192 of the Laws of 1888, entitled 'An act to provide for improving the facilities for commerce and the convenience of the public by deepening the harbor and entrance thereto, at the foot of Canandaigua lake, in the county of

Ontario, and to protect the same by the erection of a suitable pier and breakwater, and to make an appropriation therefor," now on the order of third reading, be read the third time on Tuesday, April sixteenth, at 11 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill (No. 1027) entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations," having been announced for a third reading,

On motion of Mr. Ainsworth, and by unanimous consent, the same was amended as follows:

Line 400, printed bill, after the word "Hall" insert the word "Hospital."

Line 402, strike out the word "thirty-three" and insert the word "fifty-five."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Graham	Longley	Roesch
Adams	Cottrell	Greene	Martin	Saunders
Ainsworth	Cronin	Groat	McAdam	Schaaß
Andrus	Jrosby	Guenther	McCarren	Sheehan
Aspinall	Curtis	Hagan	McKenzie	Smith, M. A.
Baker, A. B.	Davidson	Haggerty	McMaster	Smith, T.
Baker, A. H.	Decker	Hamilton	Mead	Sperry
Barton	Demarest	Harwood	Mesick	Stevens
Bauer	Dinehart	Hayes	Miller	Sullivan
Blake	Dinkelspiel	Hitt	Moody	Tefft
Blanchfield	Donaldson	Hornidge	Mullaney	Towne
Blumenthal	Duffy	Hunting	Murray	Treadway
Brown	Dunham	Husted	Newschafer	Van Gorder
Brownell	Dunlap	Kent	Nixon	Walters
Bush, R. P.	Edwards	King	O'Neil	West
Carson	Endres	Lane	Pearsall	Whipple
Cheney	Enz	Le Roy	Peck	Yates
Clark, J.	Fish	Lewis	Rhodes	Yetman
Comstock	Fitts	Little	Rice	Young
Connelly	Flaherty	Loder		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Fish introduced a bill entitled "An act to amend sections 172, 192 and 214, of chapter 410 of the Laws of 1882, entitled "An act to consolidate into one act and to declare the special and local laws affecting public interest in the city of New York, relating to the bonds and stocks of said city" (Int. 1182), which was read the first time,

and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Dinehart introduced a bill entitled "An act to amend section 3322, of the Code of Civil Procedure, relative to fees of justices of the peace" (Int. 1183), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. R. P. Bush introduced a bill entitled "An act to extend the existence of street surface railroads owning leases of connecting railroads" (Int. No. 1184), which was read the first time and by unanimous consent was also read the second time.

On motion of Mr. R. P. Bush, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and printed, and when printed to be committed to the committee on railroads, retaining its place on the order of third reading.

Mr. Greene offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 668, entitled "An act to regulate the duties of health officers and other officials in the seizure and destruction of milk," now on the order of third reading, be read the time on Friday morning, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Stevens offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 873, entitled "An act to provide for the erection of an armory in Malone village, in the county of Franklin, and making an appropriation therefor," now on the order of third reading, be made a special order for Tuesday, April sixteenth.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill (No. 820) entitled "An act further to amend chapter 542 of the Laws of 1880, entitled 'An act to provide for raising taxes for the use of the State upon certain corporations, joint-stock companies and associations,' and the acts amendatory thereof," having been announced for a third reading,

On motion of Mr. Whipple, and by unanimous consent, the same was amended as follows:

Section 1, add at the end thereof the words "Provided that this act shall not apply to any tax paid prior to June 1, 1880, and that it shall not apply to any tax paid subsequent to the passage of this act."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 30 }
{ NOES 38 }

Those who voted in the affirmative, were

Acker	Dinkelspiel	Lewis	McKenzie	Stevens
Ainsworth	Haggerty	Little	Mead	Townsend
Baker, A. B.	Hamilton	Loder	O'Neil	Walters

Barton	Huntting	Maynard	Saunders	West
Dante	Husted	McAdam	Savery	Whipple
Davidson	Kimball	McCarren	Smith, M. A.	Yates

Those who voted in the negative, were

Blanchfield	Crosby	Haffner	Moffitt	Ryan
Blumenthal	Curtis	Harwood	Mullaney	Schaaff
Bush, R. P.	Dunham	Kelly	Murray	Sheehan
Carson	Dunlap	Kent	Pearsall	Sperry
Clarke, C. C.	Endres	King	Rhodes	Strassburg
Connelly	Fish	Le Roy	Rice	Tefft
Coon	Graham	Martin	Roesch	Youngman
Cottrell	Groat	McCann		

Mr. Whipple moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 790) entitled "An act to amend chapter 466 of the Laws of 1875, entitled 'An act to exempt property, real and personal, of the society of the New York hospital from taxation, and to repeal section 4 of chapter 257 of the Laws of 1822,'" having been announced for a third reading,

Mr. Ainsworth moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 77 }
{ NOES 8 }

Those who voted in the affirmative, were

Acker	Davidson	Hornidge	McCarren	Saxton
Adams	Decker	Hughes	McKenzie	Schaaff
Ainsworth	Dinehart	Huntting	McMaster	Smith, C.
Andrus	Dinkelspiel	Husted	Mead	Smith, M. A.
Aspinall	Dunlap	Kerrigan	Mesick	Smith, T.
Baker, A. B.	Edwards	Kimball	Moffitt	Sperry
Barton	Enz	King	Moody	Stevens
Brown	Fish	Lane	Newschafer	Sullivan
Brownell	Fitts	Lewis	O'Neil	Treadway
Bush, R. P.	Gallup	Little	Pearsall	Walters
Carson	Graham	Loder	Rhodes	West
Cheney	Greene	Longley	Roesch	Whipple
Coon	Guenther	Martin	Ryan	Yates
Cottrell	Hagan	Mase	Saunders	Young
Crosby	Hamilton	Maynard	Savery	Youngman
Curtis	Hitt			

Those who voted in the negative, were

Blanchfield	Dante	Harwood	Mullaney	Strassburg
Connelly	Endres	Kent		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 852) entitled "An act to confirm the audits of accounts by the boards of supervisors of the various counties of this State," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Groat	Le Roy	Rhodes
Ainsworth	Crosby	Guenther	Little	Rice
Aspinall	Davidson	Haffner	Loder	Roesch
Baker, A. B.	Decker	Hagan	Longley'	Ryan
Bauer	Demarest	Haggerty	Maynard	Saunders
Blanchfield	Dinehart	Hamilton	McAdam	Savery
Blumenthal	Dinkelspiel	Harwood	McCann	Saxton
Brown	Donaldson	Hitt	McCarren	Smith, C.
Bush, R. P.	Duffy	Hornidge	McKenzie	Smith, M. A.
Carson	Dunham	Hughes	McMaster	Smith, T.
Cheney	Dunlap	Hunting	Moody	Sullivan
Clarke, C. C.	Endres	Husted	Mullaney	Tefft
Connelly	Enz	Kelly	Murray	Walters
Coon	Fish	Kent	Newschafer	West
Cottrell	Graham	King	O'Neil	Yates
Creamer	Greene	Lane	Pearsall	Yetman

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Pursuant to notice previously given, Mr. Greene moved to suspend Rule 44, for the purpose of reading the third time, out of its order, Assembly bill (No. 948) entitled "An act to incorporate the New York and New Jersey Bridge Company, for the purpose of constructing and maintaining a permanent bridge for passenger and other traffic over the waters between New York city and the State of New Jersey, together with all necessary connections, appurtenances and approaches thereto and stations."

Mr. Speaker put the question whether the House would agree to said motion to suspend Rule 44, and it was determined in the negative.

{ AYES 61 }
{ NOES 27 }

Those who voted in the affirmative, were

Adams	Creamer	Hughes	McCann	Schaaff
Ainsworth	Curtis	Hunting	McCarren	Smith, C.
Baker, A. B.	Decker	Kent	McMaster	Smith, M. A.
Baker, A. H.	Demarest	Kimball	Mesick	Smith, T.
Barton	Enz	Lane	Miller	Stevens

Blake	Fitts	Le Roy	Moffitt	Strassburg
Blanchfield	Flaherty	Lewis	Murray	Sullivan
Brown	Graham	Little	Nixon	Towne
Carson	Greene	Loder	Peck	Treadway
Cheney	Groat	Longley	Rice	Walters
Clark, J.	Guenther	Mase	Roesch	West
Clarke, C. C.	Haggerty	McAdam	Savery	Yetman
Comstock				

Those who voted in the negative, were

Acker	Duffy	Hamilton	McKenzie	Saunders
Andrus	Dunlap	Hitt	Mead	Sperry
Blumenthal	Endres	Kelly	Mullaney	Tefft
Connolly	Gallup	Kerrigan	Rhodes	Yates
Cronin	Haffner	Maynard	Ryan	Youngman
Crosby	Hagan			

Mr. Greene moved to reconsider the vote by which the House failed to suspend Rule 44.

Mr. Crosby raised the point of order that Mr. Greene having voted to suspend Rule 44, it was not in order for him to make this motion.

Mr. Speaker decided the point of order well taken.

The House resolved itself into a committee of the whole, and proceeded to the consideration of the special order (Mr. Creamer in the chair), being the bill entitled as follows :

"An act to regulate the employment of convicts in the penal institutions of the State, and for other purposes connected therewith, and making an appropriation for carrying into effect the provisions of this act, so far as the same applies to the State prisons of the State." (No. 1067.)

Pending the consideration of which, Mr. Speaker resumed the chair.

Mr. Ainsworth moved that the time of the session be indefinitely extended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House again in committee of the whole; resumed the consideration of said bill.

After some time spent therein, Mr. Speaker resumed the chair, and Mr. Creamer, from said committee, reported progress on the same, and asked and obtained leave to sit again.

Mr. Ainsworth moved that the committee of the whole be discharged from the further consideration of said bill, and that the same with the following amendments adopted in committee of the whole, be ordered to a third reading:

Substitute Assembly bill No. 630 for the bill No. 1067, and amend No. 630 as follows:

Section 4, lines 1 and 2, strike out the words "authorized and empowered," and insert in lieu thereof the words "directed and required."

Add the following new sections, to be known as sections 5 and 6:

"§ 5. It shall not be lawful for the superintendent of State prisons

or the agent and wardens or managers of any of the penal institutions of this State, to hereafter receive or permit to be received therein any prisoner convicted in the United States court held without the State of New York, or in any State court other than that of the State of New York."

"§ 6. This act shall not effect the penitentiaries or work-houses within the city and county of New York, or the county of Kings, so long as the products of such institutions are used and absorbed in supplying the charitable or penal institutions under the charge of the department of charities and correction of the city and county of New York, and nothing in this act shall be so construed as to prevent the prisoners confined in the State prisons, penitentiaries, reformatories and penal institutions of this State, from being employed in manufacturing any and all material required therein, or in any work required in and about such prisons, penitentiaries, reformatories and other penal institutions."

Change "§ 5" to "§ 7."

Change "§ 6" to "§ 8."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative and said bill referred to the committee on revision.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to provide for a hearing of the claims of J. W. Van Slyke and others, for work and services performed for the State under the provisions of chapter 577 of the Laws of 1864" (No. 1021), reported the same with the recommendation that it be amended as follows:

Section 1, lines 5 and 6, after the word "of" second time occurring in line 5, strike out all down to and including the words "New York" in line 6, and insert the following in place thereof, "chapter 577 of the Laws of 1864."

Same section, lines 10 and 11, strike out all after the word "Ogdensburgh" in line 10 down to and including the word "sixty-four" in line 11.

Amend title by inserting after the word "others" in line 2, the words "by the board of claims."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 382 of the Laws of 1857, entitled 'An act in relation to the schools and academies in the village of Ogdensburg, St. Lawrence county'" (No. 1040), reported the same with the recommendation that it be amended as follows:

Section 1, line 4, after the word "county" insert the words "as amended by chapter 70 of the Laws of 1881."

Same section, line 19, strike out the word "four" and insert the word "two" in place thereof.

Same section, line 32, after the word "if" strike out the word "any" and insert the letter "a" in place thereof.

Same section, line 37, strike out the word "on" and insert the word "in" in place thereof.

Amend title by inserting at the end thereof the following: "As amended by chapter 70 of the Laws of 1881."

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to provide for the inspection of meats intended for human food, and to provide for the appointment of inspectors thereof" (No. 1008), reported the same with the recommendation that it be amended as follows:

Section 1, line 4, after the word "inspector" insert the words "appointed for such purpose."

Same section, line 8, after the word "convicted" insert the words "of an offense against this act."

Same section, line 9, insert at the end thereof the words "for violations of this act."

Section 2, line 3, strike out the word "such" and insert the word "the" in place thereof; also, after the word "deputies" insert the words "mentioned in section one;" also, before the word "the" insert the words "to prescribe;" also, after the word "certificate" insert the words "of inspection;" also, strike out the word "shall" and insert in place thereof the words "to fix and."

Same section, line 4, after the word "charged" insert the words "for inspection."

Same section, line 7, strike out the word "are."

Amend the title by adding at the end thereof the words "for the protection of the public health."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 307 of the Laws of 1852, entitled 'An act to incorporate the Buffalo Association for the Relief of the Poor,' and to change the name thereof" (No. 918), reported the same with the recommendation that it be amended as follows:

Section 1, line 1, strike out the word "two," between the words "section," and "of," and insert the word "one" in place thereof.

Same section, line 3, after the word "is" insert the word "hereby;" also, after the word "amended" insert the words "so as to read."

Insert between lines 3 and 4 the following:

"§ 1. Whereas, in the judgment of this Legislature, the charitable objects of this association can not be obtained under any general law, by reason of the alienage of certain of its members; therefore, Aaron Rumsey, Russell H. Heyward, Noah P. Sprague, George Jones, Henry Daw, Ambrose P. Yaw, Almon P. Patchin, Jason Sexton, William Chard, Ernest G. Grey, Samuel G. Walker, Samuel N. Callender, Samuel Carey, Russell L. Burrows, and such other persons as now are members of the Buffalo Association for the Relief of the Poor, or may hereafter become associated with them, are hereby constituted a body corporate, by the name of The Home for Old Men and Buffalo Relief Association for the purpose of improving the condition and relieving the necessities of the poor in the city of Buffalo."

Section 2, after the section number insert the words "Section two of said act is hereby amended so as to read as follows."

Same section, line 1, after the word "The" insert the word "said."

Same section, lines 2 and 3, after the word "corporation" in line 2 strike out all down to and including the word "and," second time occurring, in line 3.

Amend the title by striking out the last five words thereof "and to change the name thereof."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend section 2692 of the Code of Civil Procedure, relative to the appointment of successors to executors or administrators" (No. 1044), reported the same with the recommendation that it be amended as follows:

Section 1, line 1, strike out the word "two" and insert the word "three" in place thereof.

Amend the title by striking out the word "two" in line 2 and inserting the word "three" in place thereof.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to provide a rifle range for the use of the national guard" (No. 1029), reported the same with the recommendation that it be amended as follows:

Preamble 2, line 10, strike out the words "It is," and after the word "Therefore" insert the words "be it."

Section 1, line 10, strike out the words "to be on" and insert the word "upon" in place thereof.

Section 2, line 5, after the word "reasonable" insert the word "then."

Section 3, insert at the end thereof the words "upon the warrant of the comptroller to the board named in section 2 of this act."

Amend the title by inserting at the end thereof the words "and making an appropriation therefor."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to provide for the erection of a new State prison and for the removal of the present State prison from Sing Sing" (No. 671), reported the same with the recommendation that it be amended as follows:

Section 1, line 5, insert at the end thereof the words "county of Westchester."

Section 3, line 3, after the word "in" insert the word "year."

Section 4, insert at the end thereof the words "And the sum of fifteen hundred dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the treasury not otherwise appropriated, payable on the warrant of the comptroller, for the purposes of this act."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 557 of the Laws of 1887, entitled "An act to authorize the park commissioners of the city of Buffalo to select and locate such ground as may be deemed desirable for park purposes in the Thirteenth ward of said city, and in the town of West Seneca, Erie county"" (No. 1049), reported the same with the recommendation that it be amended as follows:

Section 2, line 1, after the word "of," first time occurring, insert the word "said."

Same section, lines 1, 2, 3, 4 and 5, after the word "chapter," in line 1, strike out all down to and including the words "Erie county," in line 5.

Same section, line 7, insert the word "the" at the end thereof.

Same section, line 14, strike out the word "seventy" and insert the word "eighty" in place thereof.

Same section, line 28, strike out the word "said" and insert the word "each" in place thereof.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendation:

"An act to permit the city of Auburn to raise money to build a bridge and to supply deficiency caused by the failure of the First National Bank in said city." (No. 920.)

"An act to amend chapter 409 of the Laws of 1886, as amended by chapter 462 of the Laws of 1887, entitled 'An act to regulate the employment of women and children in manufacturing establishments and to provide for the appointment of inspectors to enforce the same.'" (No. 897.)

"An act to limit the eligibility of members of the board of education of the city of Brooklyn." (No. 1051.)

"An act to amend chapter 466 of the Laws of 1875, entitled 'An act to exempt property, real and personal, of the Society of the New York Hospital from taxation, and to repeal section 4 of chapter 257 of the Laws of 1822.'" (No. 790.)

"An act to release to Harry H. Hurford and Bessie P. Barnett the right, title and interest of the people of the State of New York, in certain real estate in the village of Cooperstown, Otsego county, N. Y. (No. 922.)

"An act to enable the electors of the town of North Collins, in Erie county, to vote by districts in the election of town officers." (No. 616.)

"An act in relation to the assessment-roll of the town of Oswegatchie, in the county of St. Lawrence. (No. 1041.)

"An act to provide for raising money by tax for lighting the streets by gas or electricity in the city of Cohoes." (No. 923.)

"An act in relation to railroad corporations." (No. 1050.)

"An act to authorize the Board of Claims to hear, audit and determine the claims against the State, of certain owners of water power, rights and privileges on the Oswego and Seneca rivers, for damages growing out of the action of the State in lowering the bed of Seneca river at and above Jacks Reefs, and to make awards therefor." No. 246.)

"An act to amend section 9 of article 2, title 2, chapter 13, part 1 of the Revised Statutes, relating to the assessment and collection of taxes." (No. 672.)

"An act to enable courts of justice to receive in evidence in actions or proceedings involving the title of premises known by the street number as No. 209 Hester street, in the city of New York, certain testimony heretofore received in a cause involving the same question." (No. 977.)

"An act to amend section 10 of article 1 of title 3, chapter 13, part 1 of the Revised Statutes, relating to officers before whom oaths may be made in certain cases." (No. 1047.)

"An act to amend section 3 of chapter 180 of the Laws of 1845, entitled 'An act to reduce the number of town officers and town and county expenses, and to prevent abuses in auditing town and county accounts.'" (No. 1045.)

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' relating to assessments." (No. 1022.)

Ordered, That said bills be engrossed for a third reading.

Mr. McKenzie, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend chapter 483 of the Laws of 1885, entitled 'An act to tax gifts, legacies and collateral inheritances in certain cases,' as amended by chapter 713 of the Laws of 1887." (No. 332.)

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York.'" (No. 880.)

"An act to release to Frederick Theiss all the right, title and interest of the people of the State of New York in and to certain real estate in the city of Brooklyn, Kings county, New York." (No. 939.)

"An act to release the right, title and interest of the people of the State of New York to certain real estate in the city of Hornellsville, of which Elizabeth Long died seized to Michael Long." (No. 937.)

"An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' amending the arrearage law." (No. 933.)

"An act in relation to fraternal beneficiary societies, orders or associations." (No. 846.)

"An act to further provide the means for the erection and completion of a soldiers and sailors' monument in the city of Brooklyn, by authorizing the issue of bonds." (No. 648.)

"An act in relation to assessments for local improvements in certain incorporated villages." (No. 775.)

"An act to designate the holidays to be observed in the acceptance and payment of bills of exchange, bank checks and promissory notes, and relating to the closing of public offices." (No. 373.)

"An act to confirm the action and proceedings of the trustees of the village of Corning, acting as commissioners of highways, on discontinuing portions of State street, Water street, and the alley in block eighty-three in said village." (No. 1023.)

"An act to provide for the construction of highways between towns in the same county, divided by a navigable tidal stream." (No. 743.)

"An act to amend chapter 212 of the Laws of 1886, entitled 'An act to provide for the construction of a system of sewerage for the village of West Troy.'" (No. 838.)

"An act for the protection of fish in the waters of Owasco lake, Cayuga lake, Seneca lake and their outlets, and Seneca river." (No. 965.)

"An act to regulate the duties of health officers or other officials in the seizure or destruction of milk." (No. 668.)

"An act to amend chapter 27 of the Laws of 1883, entitled 'An act to grant to the heirs of Nathan C. Winslow, deceased, certain land under water of the Niagara river for docks and commercial purposes.'" (No. 300.)

"An act to promote the care and curative treatment of the pauper and indigent insane in the counties of this State, except New York, Kings and Monroe counties, and to permit said excepted counties or either of them, in accordance with the action of their respective local authorities, to avail themselves or any one or more of them of the provisions of this act." (No. 966.)

"An act to release to Henry Spicer, Francis Spicer, Catharine Valentine, Emeline Amelia Scarff, William Spicer, David Spicer, Charles Spicer, Emma Johnson, Sarah Chapman, Georginia Farrington, Ida Lovell and Mortimer Rabanue, heirs-at-law and next of kin of George Spicer, deceased, any claim or interest that the people of the State of New York may have by escheat or otherwise in and to the estate of Ellen Spicer, deceased, in the city and county and State of New York." (No. 782.)

"An act to amend chapter 28 of the Laws of 1883, entitled 'An act to grant to Charles O. Scott certain land under water of Niagara river for docks and commercial purposes.'" (No. 299.)

"An act regulating railway appliances to be used on all railway lines within the limits of the State of New York." (No. 994.)

"An act to authorize the common council of the city of Yonkers to empower the board of education in said city to borrow money to pay for materials and work upon certain of its school premises." (No. 934.)

"An act in relation to Astoria Park in Long Island City." (No. 879.)

"An act to secure the registration of plumbers and the supervision of plumbing and drainage in the city of Buffalo." (No. 628.)

"An act to amend chapter 525, of the Laws of 1887, entitled 'An act to enable the several cities and towns of the State, which have not already done so, to refund the money expended in furnishing substitutes, or in commutation by the men who were drafted into the military service of the United States and held to service in the several drafts under the conscription act of the United States, entitled 'An act for enrolling and calling out the National forces, and for other purposes,' approved March 3, 1863, and the acts amendatory thereto, while the option of commutation, by the payment of \$300 remained, and for the relief of the men who entered the service under said drafts.'" (No. 849.)

"An act to authorize the city of Cohoes to provide for the removal

of the bodies, monuments and gravestones from the old burial-ground situated on the north side of Columbia street, in said city, to provide a suitable place for the reinterment of said bodies, to reinter the same, and to reset the monuments and gravestones, to issue bonds therefor, and to sell and convey the land now used for said burial-ground." (No. 498.)

"An act to incorporate the New York and New Jersey Bridge Company, for the purpose of constructing and maintaining a permanent bridge for passenger and other traffic over the waters between New York city and the State of New Jersey, together with all necessary connections, appurtenances and approaches thereto and stations. (No. 948.)

"An act to reappropriate the unexpended balance of the amount appropriated by chapter 593 of the Laws of 1881, entitled 'An act for the removal of causes of malaria and danger to the public health from a portion of the abandoned Chemung canal and Genesee Valley canal, and making an appropriation for such purposes,' and to direct its expenditure for the same object." (No. 997.)

"An act to provide for the purchase and care of the old Van Rensselaer mansion at East Greenbush." (No. 989.)

"An act for the better protection of skilled labor, and for the registration of labels, marks, names, brands or devices covering the products of such labor of associations or unions of workmen or women." (No. 932.)

"An act to provide for the construction of fish-ways in the dams across Cattaraugus creek, and its tributaries." (No. 930.)

"An act to amend chapter 278 of the Laws 1888, entitled "An act in relation to Waverly, Vanderbilt and Clinton avenues in the city of Brooklyn." (No. 451.)

"An act to amend chapter 395 of the Laws of 1886, entitled 'An act prohibiting the killing of quail and ruffed grouse, commonly called partridge, within the county of Niagara, for the period of three years from and after the passage of this act.'" (No. 372.)

"An act supplementary to chapter 312 of the Laws of 1877, entitled 'An act in relation to the compensation of the several officers, keepers, guards, matrons and teachers of the Sing Sing, Auburn and Clinton prisons, and the superintendent of the State lunatic asylum for insane convicts at Auburn, and to fix the rate of interest to be paid on convict deposits,' fixing the compensation of certain officers in the several State prisons and changing the title and increasing the powers of the principal keepers therein." (No. 842.)

"An act to confirm and legalize the official acts of the 'Evangelical Lutheran Zion Church of Schenectady,' and the official acts of the persons heretofore acting as trustees of said church, and to make valid certain deeds." (No. 524.)

"Concurrent resolution proposing an amendment to the Constitution by striking out section 7 of article 7." (No. 301.)

"An act to provide for the erection of a State armory at Niagara Falls, Niagara county, and making an appropriation therefor." (No. 875.)

"An act to regulate the rate of wages on all public works in this State, and to define what laborers shall be employed thereon." (No. 576.)

"An act to amend subdivision 2 of section 3215 of the Code of Civil Procedure, relative to the jurisdiction of district courts of the city of New York." (No. 876.)

"An act making an appropriation for the purpose of deepening the outlet of Chautauqua lake, from the Jamestown docks to a point three and one-quarter miles therefrom." (No. 870.)

"An act to provide for the erection of an armory in Malone village, in the county of Franklin, and making an appropriation therefor." (No. 873.)

"An act to provide for recording and indexing instruments affecting land in the city of New York according to city blocks or other limited areas." (No. 533.)

"An act to legalize the official acts of John Tyler, special county judge of Tompkins county, while acting in the place of the surrogate of said county." (No. 564.)

"An act to revise and amend chapter 598 of the Laws of 1870, entitled 'An act to amend an act to incorporate the city of Troy, passed April 12, 1816, and the several acts amendatory thereof, and also to amend other acts relating to the city of Troy,' and the acts amendatory thereof, and to consolidate into one act several of the acts relating to the city of Troy, and to the inferior local courts therein." (No. 536.)

The Senate sent for concurrence the following entitled bill:

"An act to provide for the removal of the canal bridge over the Erie canal at Culver street in the city of Rochester, and to provide for the construction of an iron bridge over the Erie canal at that point, and making an appropriation therefor" (Rec. No. 272), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Gallup, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

Mr. Saxton offered for the consideration of the House a resolution, in the words following:

Resolved, That when this House adjourns to-day it be to meet again to-morrow morning at 10.30 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Crosby, and by unanimous consent, the bill (No. 630) entitled "An act to amend chapter 586 of the Laws of 1888, entitled 'An act providing for the proper employment of convicts in the penal institutions of the State, and making an appropriation necessary to prevent the prisoners from remaining in idleness,'" was made a special order for Thursday next, at 12 o'clock.

A message from the Senate was received and read, in the words following:

IN SENATE, April 11, 1889.

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No.) entitled "An act to legalize and confirm the merger and consolidation of the Washington Street and State Asylum Railroad Company and the Park Avenue Railroad Company into the Washington Street Asylum and Park Railroad Company in the city of Binghamton." (Rec. No. 148.)

The vote upon the final passage of said bill having been reconsidered, On motion of Mr. Grady, and by unanimous consent, the same was amended as follows:

Amend section 1 by adding at the end thereof the word "in so far as the authority to make such merger and consolidation on the part of the said two railroad companies under chapter 108 of the Laws of 1875, as amended by chapter 387 of the Laws of 1883 and the validity thereof may be questioned."

Amend section 2 so as to read as follows:

"§ 2. This act shall not affect any action or legal proceeding now pending involving the validity of the merger and consolidation mentioned in the first section."

Make "§ 2" "§ 3."

And as amended passed, reëngrossed, and ordered to be sent to the Assembly for concurrence.

By order.

JOHN S. KENYON, *Clerk.*

By unanimous consent,

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Creamer	Guenther	McCann	Ryan
Ainsworth	Crosby	Haggerty	McCarren	Saunders
Andrus	Curtis	Harwood	McKenzie	Saxton
Baker, A. B.	Davidson	Hayes	McMaster	Schaaff
Baker, A. H.	Decker	Hughes	Mead	Sheehan
Barton	Demarest	Hunting	Miley	Smith, M. A.
Bauer	de Peyster	Husted	Miller	Smith, T.
Blanchfield	Donaldson	Kelly	Moody	Sperry
Blumenthal	Duffy	Kent	Mullaney	Stevens
Brown	Edwards	Kerrigan	Murray	Townsend
Brownell	Endres	Kimball	Newschafer	Van Gorder
Bush, G. H.	Fish	Lewis	Nixon	Walters
Bush, R. P.	Fitts	Little	O'Neil	Whipple
Carson	Flaherty	Loder	Pearsall	Yates
Clark, J.	Graham	Longley	Peck	Yetman
Coon	Greene	Martin	Roesch	Youngman
Cottrell	Groat	Maynard		

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
 { NOES 00 }

Those who voted in the affirmative, were

Acker	Demarest	Hughes	Mead	Sheehan
Ainsworth	de Peyster	Hunting	Mesick	Smith, M. A.
Andrus	Donaldson	Husted	Miley	Smith, T.
Baker, A. B.	Edwards	Kelly	Moody	Sperry
Barton	Endres	Kent	Mullaney	Stevens
Bauer	Fish	Kimball	Murray	Tefft
Brown	Fitts	Lewis	Newschafer	Towne
Brownell	Flaherty	Loder	Nixon	Townsend
Bush, R. P.	Graham	Longley	Pearsall	Upson
Carson	Greene	Martin	Peck	Van Gorder
Clark, J.	Groat	Mase	Rice	Walters
Comstock	Guenther	McAdam	Roesch	Whipple
Connelly	Haggerty	McCann	Saunders	Yates
Coon	Harwood	McCarren	Saxon	Yetman
Cottrell	Hayes	McKenzie	Schaaff	Young
Curtis	Hitt	McMaster		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same as amended.

Mr. Yates offered for the consideration of the House a resolution, in the words following:

Resolved, That the vote by which the motion to suspend Rule 44, for the purpose of reading out of its order Assembly bill No. 948, entitled "An act to incorporate the New York and New Jersey Bridge Company, for the purpose of constructing and maintaining a permanent bridge for passenger and other traffic over the waters between New York city and the State of New Jersey, together with all necessary connections, appurtenances and approaches thereto and stations" was lost, be reconsidered, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. M. A. Smith, Int. No. 1038, entitled "An act to appropriate moneys to improve and protect the navigation of the Delaware river, at or near Cochécton, in the county of Sullivan," reported in favor of the passage of the same, with amendments, which report was agreed to.

On motion of Mr. Husted, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Cottrell offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill, Int. No. 900, entitled "An act to provide for the sale of the academy part of the academy and town hall of the town of Almond, in the county of Allegany," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act to provide a system of sewerage in a part of the town of New Utrecht, county of Kings," with a message that they have concurred in the passage of the same, as amended.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill entitled "An act to amend section 8 of chapter 230 of the Laws of 1887, entitled 'An act to amend and revise the charter of the village of Sing Sing, in the county of Westchester,' and all acts supplementary thereto and amendatory thereof" (Int. No. 1180), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to Governor.

The Senate returned the bill entitled "An act to amend chapter 189 of the Laws of 1885, entitled 'An act to establish a board of police commissioners of the city of Watertown,' and the acts amendatory thereof." (No. 443.)

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Saxton, the House adjourned.

FRIDAY, APRIL 12, 1889.

The House met pursuant to adjournment.

Prayer by Rev. William E. Park.

On motion of Mr. Martin, the journal of yesterday was approved without being read.

On motion of Mr. Martin, and by unanimous consent, Senate bill No. 620, entitled "An act to amend an act entitled 'An act to amend chapter 574 of the Laws of 1873, entitled 'An act to incorporate the Old Guard of the city of New York''" (Rec. No. 267), was ordered to be read the third time on Tuesday, April sixteenth, immediately after the reading of the journal.

Mr. Le Roy offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 696, entitled "An act to create a commission to pave certain streets in the village of West Troy," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

On motion of Mr. Roesch, and by unanimous consent, the bill (No. 932) entitled "An act for the better protection of skilled labor, and for the registration of labels, marks, names, brands or devices covering the products of such labor of associations or unions of workmen or women," now on the order of third reading, was ordered to be read the third time on Monday evening next.

Mr. Endres introduced a bill entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of purchasing school lots and erecting, enlarging, repairing and furnishing school buildings" (Int. No. 1185), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Endres, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and printed, and when printed to be committed to the committee on affairs of cities, retaining its place on the order of third reading.

Mr. Hitt offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 242, entitled "An act to amend section 4 of chapter 368 of the Laws of 1884, entitled 'An act to regulate the manner of contracting, auditing and paying certain charges against the county of Albany,'" for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Ainsworth offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That there be printed by the legislative printer, under the direction of the Clerks of the Senate and Assembly, 10,000 copies of the proceedings of the Legislature and the memorial oration of General Wager Swayne on the death of General Philip H. Sheridan, for the use of the members of the Legislature and State officers, and 1,000 copies for the officers and reporters.

Ordered, That said resolution be referred to the committee on public printing.

On motion of Mr. Peck, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill (No. 856) entitled "An act to amend chapter 573 of the Laws of 1886, entitled 'An act to revise and consolidate and amend chapter 287 of the Laws of 1879, and chapter 362 of the Laws of 1880, relating to the formation of town and county cooperative insurance companies, and the acts amendatory thereof, and the same was ordered to a third reading and made a special order for Thursday, April eighteenth, immediately after the reading of the journal.

Mr. Longley offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 849, entitled "An act to amend chapter 525 of the Laws of 1887, entitled 'An act to enable the several cities and towns of the State which have not already done so, to refund the money expended in furnishing substitutes or in commutation by the men who were drafted into the military service of the United States, and held to service in the several drafts under the conscription act of the United States, entitled An act for enrolling and calling out the national forces and for other purposes, approved March 3, 1863, and the acts amendatory thereto, while the option of commutation by the payment of \$300 remained, and for the relief of the men

who entered the service under said drafts," now on the order of third reading, be read the third time on Tuesday next, at 12 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Haggerty offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That the sixth article of the Constitution be amended by adding thereto the following section :

§ 29. The Legislature, at the first session thereof after the adoption of this amendment, shall provide for the election at the general election next after the adoption of this amendment, by the electors of the second judicial district, of not more than two justices of the Supreme court, in addition to the justices of that court now in office in the second judicial district. The justices so elected shall be invested with their offices on the first Monday of June next after their election.

Resolved (if the Senate concur), That the foregoing amendment be referred to the Legislature to be chosen at the next general election of Senators, and that in conformity to section one of article thirteen of the Constitution it be published for three months previous to the time of such election.

Ordered, That said resolution be referred to the committee on the judiciary.

Mr. Hamilton, from the committee on general laws, to which was referred the bill introduced by Mr. Newschafer, Int. No. 577, entitled "An act to prevent and punish fraud in the sale of coal," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Newschafer, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and referred to the committee on revision.

Mr. Hamilton, from the committee on general laws, to which was referred the bill introduced by Mr. McAdam, Int. No. 1176, entitled "An act to amend chapter 40 of the Laws of 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical, chemical, agricultural, horticultural, medical or curative mercantile or commercial purposes,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hamilton, from the committee on general laws, to which was referred the bill introduced by Mr. Kelly, Int. No. 574, entitled "An act to amend chapter 119 of the Laws of 1888, entitled 'An act relating to employés of the various cities and counties of the State,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hamilton, from the committee on general laws, to which was referred the bill introduced by Mr. Mead, Int. No. 641, entitled "An act to create a board of electrical commissioners, and to define and regulate its powers and duties," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hamilton, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Fassett, Int. No. 143,

entitled "An act to provide for the organization and regulation of natural gas companies, being 'An act supplemental to chapter 611 of the Laws of 1875, entitled An act to provide for the organization and regulation of certain business corporations,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Cottrell, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Blumenthal, Int. No. 847, entitled "An act to amend chapter 716 of the Laws of 1887, entitled 'An act in relation to the electrical conductors in the city of New York,'" reported in favor of the passage of the same, with amendments, which report was agreed to.

On motion of Mr. Blumenthal, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and recommitted to the committee on the affairs of cities, retaining its place on the order of third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Towne, Int. No. 1150, entitled "An act to authorize the establishment of an electric plant for the purpose of lighting the city of Jamestown, N. Y., with electric light, and to empower the common council of said city to raise the necessary funds therefor," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Cronin, Int. No. 1094, entitled "An act to enable the mayor and common council of Long Island City to borrow money for the purpose of increasing the water supply and laying additional water pipes in said city," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hitt, Int. No. 548, entitled "An act to authorize the board of contract and apportionment of the city of Albany to assess the expense of certain work and improvement upon the property respectively benefited thereby," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill restored to its place on the order of third reading and made a special order for Monday evening, April fifteenth.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Rhodes, Int. No. 438, entitled "An act to amend section 52 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' by giving salaries to the commissioners of the department of parks," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Sullivan, Int. No. 926, entitled "An act relative to the Consolidated Telegraph and Electric Subway Company of the city of New York," reported in favor of the passage

of the same, which report was agreed to and said bill restored to its place on general orders.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Kent, Int. No. 646, entitled "An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Kent, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and made a special order for Tuesday, April sixteenth.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Cronin, Int. No. 1093, entitled "An act to increase the salaries of police patrolmen in Long Island City," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Lewis, Int. No. 654, entitled "An act to amend chapter 294 of the Laws of 1869, entitled 'An act to incorporate the fire department of the city of Binghamton'" reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Sperry, Int. No. 174, entitled "An act to authorize the building of auxiliary and storm relief or overflow sewers in the city of Brooklyn, and to provide for the issue of bonds for the same," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn, so far as relates to auxiliary sewers,'" which report was agreed to.

On motion of Mr. Haggerty, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on revision.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McCarren, Int. No. 380, entitled "An act in relation to local improvements in the city of Brooklyn, and to provide for the issue of bonds for the same," reported in favor of the passage of the same, with amendments, which report was agreed to.

On motion of Mr. McCarren, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and referred to the committee on revision.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Groat, Int. No. 967, entitled "An act to establish and settle the bulkhead and pier line along the East river at Long Island City and Ravenswood in the port of New York," reported in favor of the passage of the same (Mr. Cronin dissenting), which report was agreed to.

On motion of Mr. Crosby, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and referred to the committee on revision.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Dinkelspiel, Int. No. 833, entitled "An act to amend chapter 93 of the Laws of 1878, entitled 'An act to authorize the religious society in the city of New York known as the Congregation Rodolph Scholem to buy, hold and dispose of land for cemetery purposes,'" reported in favor of the passage of the same (Mr. Cronin dissenting), which report was agreed to, and said bill committed to the committee of the whole.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McCann, Int. No. 141, entitled "An act to authorize the purchase of sites and the erection of buildings for municipal purposes in the city of Brooklyn, and to provide the means therefor," reported in favor of the passage of the same, with amendments, which report was agreed to.

On motion of Mr. McCann, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on revision.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Longley, Int. No. 138, entitled "An act to authorize the purchase of sites and the erection of buildings for school purposes in the city of Brooklyn, and to provide the means therefor," reported in favor of the passage of the same, with amendments, which report was agreed to.

On motion of Mr. Longley, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and referred to the committee on revision.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Sullivan, Int. No. 118, entitled "An act to provide for the erection and maintenance of a free public bathing house in the city of New York," reported the same for the consideration of the House, with amendments.

On motion of Mr. Sullivan, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and referred to the committee on revision.

Mr. Crosby, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Murphy, Int. No. 166, entitled "An act to authorize and provide for the erection by the city of New York of a monument in any of the parks, public squares or places belonging to said city in honor and memory of John Ericsson, deceased," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Van Cott, Int. No. 232, entitled "An act to create a police relief fund for members of the police force of the city of New York," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hamilton, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Murphy, Int. No. 239, entitled "An act to amend section 2143 of chapter 410 of the Laws of

1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Kerrigan, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. O'Connor, Int. No. 213, entitled "An act in relation to the use of certain streets and avenues in the city of Brooklyn," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hamilton, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Van Cott, Int. No. 230, entitled "An act to amend an act entitled 'An act to incorporate the trustees of the First Protestant Episcopal Charity School in the city of New York,' passed March 14, 1806, and an act entitled 'An act to further amend an act entitled An act to incorporate the trustees of the First Protestant Episcopal Charity School in the city of New York,' passed April 16, 1827," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hamilton, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Lewis, Int. No. 159, entitled "An act to amend chapter 399 of the Laws of 1885, entitled 'An act to prevent the pollution of the water of the Susquehanna river within five miles above the water works of the city of Binghamton, and making an appropriation therefor,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Whipple, from the committee on insurance, to which was referred the bill introduced by Mr. Whipple, Int. No. 1155, entitled "An act to amend chapter 175 of the Laws of 1883, entitled 'An act to provide for the incorporation and regulation of coöperative or assessment life and casualty insurance associations and societies,' as amended by chapter 285 of the Laws of 1887," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Whipple, from the committee on insurance, to which was referred the Senate bill introduced by Mr. Fassett, Int. No. 206, entitled "An act to repeal chapter 215 of the Laws of 1887, entitled 'An act in relation to health and casualty insurance companies of other States,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Whipple, and by unanimous consent, said bill was ordered to a third reading and read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dante	Groat	Le Roy	O'Neil
Adams	Davidson	Guenther	Little	Peck
Ainsworth	Decker	Haffner	Loder	Roesch
Baker, A. B.	Demarest	Haggerty	Longley	Ryan
Bauer	Dinkelspiel	Hamilton	Martin	Saunders
Blanchfield	Donaldson	Harwood	Maynard	Savery
Blumenthal	Duffy	Hitt	McAdam	Schaaff
Brownell	Dunham	Hughes	McCann	Towne
Carson	Dunlap	Huntington	McKenzie	Upton
Cheney	Edwards	Kelly	McLaughlin	Van Gorder
Clark, J.	Endres	Kent	Miley	West
Comstock	Fitts	Kerrigan	Moffitt	Whipple
Connelly	Gallup	Kimball	Moody	Yates
Coon	Gibbs	King	Murray	Young
Cottrell	Graham	Lane	Nixon	Speaker
Curtis	Greene	Larmon		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Gallup, from the committee on canals, to which was referred the bill introduced by Mr. Dunham, Int. No. 707, entitled "An act reappropriating certain unexpended balances and authorizing the Superintendent of Public Works to expend the same in dredging and excavating the channel of Seneca river and the old Bear race in the village of Waterloo," reported in favor of the passage of the same, with amendments (Messrs. Gallup and Tefft dissenting), and the title amended so as to read "An act reappropriating a certain unexpended balance and authorizing the Superintendent of Public Works to expend the same in dredging and excavating the channel of Seneca river and the old Bear race in the village of Waterloo, and providing for the release to the State by the owners of lands in the channel of said race the right to use the same for canal purposes only," which report was agreed to and said bill restored to its place on the order of third reading.

Mr. Gallup, from the committee on canals, to which was referred the bill introduced by Mr. Little, Int. No. 633, entitled "An act for the construction of a vertical retaining wall in place of the sloped wall constructed along the northerly or towing-path side of the canal in the town of Royalton, county of Niagara, from the east line of Charles Day's land 300 feet, and to make an appropriation therefor," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Little, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and referred to the committee on revision.

Mr. Gallup, from the committee on canals, to which was referred the bill introduced by Mr. Tefft, Int. No. 1040, entitled "An act authorizing the construction of a bridge over the Champlain canal at

the farm crossing of the late S. C. Rathbun, in the town of Whitehall, and making an appropriation therefor," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Tefft, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and referred to the committee on revision.

Mr. Gallup, from the committee on canals, to which was referred the bill introduced by Mr. Tefft, Int. No. 964, entitled "An act authorizing the construction of a bridge over the Champlain canal at the crossing on the farm of Amanda M. Johnson, in the town of Whitehall, and making an appropriation therefor," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Tefft, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on revision.

Mr. Gallup, from the committee on canals, to which was referred the bill introduced by Mr. Le Roy, Int. No. 1108, entitled "An act making an appropriation for the completion of the bridge, and the approaches thereto, across the Champlain canal at the east end of Ship street, in the city of Cohoes," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Gallup, from the committee on canals, to which was referred the bill introduced by Mr. McAdam, Int. No. 432, entitled "An act to repeal chapter 602 of the Laws of 1871, entitled 'An act to authorize the construction of a bridge for railroad purposes over the Erie canal, in the city of Utica, and to empower and direct the Superintendent of Public Works to remove the same,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Kent, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and printed and referred to the committee on revision.

Mr. Cheney, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Donaldson, Int. No. 1076, entitled "An act to revise and amend chapter 574 of the Laws of 1865, entitled 'An act to revise, consolidate and amend the act to incorporate the village of Stillwater,' passed April 17, 1816, and the act to amend the same, passed March 17, 1860, and to revise and amend chapter 169 of the Laws of 1873, entitled 'An act to amend an act entitled An act to revise, consolidate and amend the act to incorporate the village of Stillwater,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Donaldson, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and referred to the committee on revision.

Mr. Cheney, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Le Roy, Int. No. 1164, entitled "An act to provide for the appointment of a police marshal in and for the first collection district of the town of Watervliet, county of Albany," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Le Roy, and by unanimous consent, the rules

were suspended, and said bill ordered to a third reading and referred to the committee on revision.

Mr. Cheney, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Savery, Int. No. 1161, entitled "An act to repeal chapter 170 of the Laws of 1866, relative to the village of Montezuma," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Cheney, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Dante, Int. No. 947, entitled "An act to amend, revise and consolidate the several acts relating to the village of Cooperstown, in the county of Otsego," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Dante, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Creamer	Groat	Little	Rice
Adams	Crosby	Guenther	Mase	Roesch
Ainsworth	Curtis	Haffner	McCann	Ryan
Baker, A. B.	Dante	Hagan	McCarren	Saunders
Bauer	Davidson	Haggerty	McKenzie	Savery
Blanchfield	Decker	Harwood	McLaughlin	Schaaff
Blumenthal	Demarest	Hughes	Mesick	Sheehan
Brownell	Duffy	Hunting	Miller	Smith, M. A.
Carson	Dunham	Husted	Moffitt	Towne
Cheney	Dunlap	Kent	Moody	Townsend
Clark, J.	Edwards	Kerrigan	Mullaney	Treadway
Clark, C. C.	Fitts	Kimball	Murray	Van Gorder
Comstock	Flaherty	King	Newschafer	West
Connelly	Gibbs	Lane	Nixon	Yates
Coon	Graham	Larmon	Pearsall	Yetman
Cottrell	Greene	Le Roy	Peck	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Cheney, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Le Roy, Int. No. 782, entitled "An act to consolidate Union Free School District No. 1 and school districts Nos. 2, 9 and 20 of the town of Watervliet into one school district, to be known as the 'West Troy school district,' and to provide a board of education therefor," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Saxton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Haggerty, Int. No. 727, entitled

"An act to amend section 60 of the Code of Criminal Procedure, in reference to the drawing of jurors," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to amend section 60 of the Code of Criminal Procedure," which report was agreed to.

On motion of Mr. Haggerty, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and made a special order for Wednesday, April seventeenth.

Mr. Saxton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Saxton, Int. No. 1026, entitled "An act to amend section 681 of the Code of Criminal Procedure, relating to indictments against corporations," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Roesch, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and referred to the committee on revision.

Mr. Saxton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Barton, Int. No. 752, entitled "An act to establish the compensation of the county judge and surrogate of Warren county," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Saxton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Demarest, Int. No. 838, entitled "An act to provide for the enforcement and collection of debts incurred for the necessities of life and declaring the property exempt from attachment, levy and sale on execution on judgments on such debts and in proceedings supplementary to and in aid of execution on such judgments," reported the same for the consideration of the House, and said bill committed to the committee of the whole.

On motion of Mr. Saxton, it was ordered that said bill, when printed, be recommitted to the committee on the judiciary.

Mr. Saxton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Ainsworth, Int. No. 1022, entitled "An act to protect owners and breeders of stock," reported the same for the consideration of the House, and said bill committed to the committee of the whole.

On motion of Mr. Saxton, it was ordered that said bill, when printed, be recommitted to the committee on the judiciary.

Mr. Saxton, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Robertson, Int. No. 209, entitled "An act to amend section 1313 of the Code of Civil Procedure, relating to appeals," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Saxton, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Coggeshall, Int. No. 218, entitled "An act to more fully secure the giving or letting of laborious and mechanical work to be hereafter performed for the State, and the municipalities, villages and townships within the State, to the free citizens, mechanics and laborers of the United States," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Kent, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

Mr. Saxton, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. McNaughton, Int. No. 126, entitled "An act to amend section 2546 of the Code of Civil Procedure, relating to reports of referees in surrogates courts," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Whipple, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

Mr. Saxton, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Grady, Int. No. 219, entitled "An act to amend section 485 of the Code of Criminal Procedure of the State of New York, as amended by chapter 493 of the Laws of 1887, entitled 'An act to amend certain sections of the Code of Criminal Procedure,'" reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Saxton, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Murphy, Int. No. 136, entitled "An act to amend section 1638 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, relating to the drawing of jurors,'" reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Saxton, from the committee on the judiciary to which was referred the Senate bill introduced by Mr. Linson, Int. No. 185, entitled "An act to amend section 830 of the Code of Civil Procedure, as to the competency of witnesses," reported in favor of the passage of the same, with amendments, which report was agreed to.

On motion of Mr. Greene, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Saxton, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Pierce, Int. No. 188, entitled "An act to amend section 459 of the Code of Criminal Procedure, relative to duties of stenographers," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. McCarren, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Saxton, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. McNaughton, Int. No. 245, entitled "An act to amend chapter 611 of the Laws of 1875, entitled 'An act to provide for the organization and regulation of certain business corporations,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Loder, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

Mr. Saxton, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Grady, Int. No. 163, entitled "An act to amend sections 106, 165, 192, 202, 206, 220, 221, 231, 232, 234, 278, 281, 489, 507, 523, 524, 533, 534, 576, 591, 592, 602, 618, 621, 649 and 696 of chapter 676 of the Laws of 1881, entitled 'An act to estab-

lish a Penal Code, so as to vest in judges a discretion as to the minimum punishment of crime," reported the same for the consideration of the House, and said bill committed to the committee of the whole.

Mr. Saxton, from the committee on judiciary, to which was referred the Senate bill introduced by Mr. Murphy, Int. No. 130, entitled "An act to amend section 691 of the Penal Code, relating to habitual criminals" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Huntting, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Townsend, Int. No. 1153, entitled "An act ceding jurisdiction to the United States of America over two certain pieces of land in the East river, New York, for the purpose of establishing thereon lights or other aids to navigation," reported in favor of the passage of the same, which report was agreed to and said bill restored to its place on the order of third reading.

Mr. Huntting, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Townsend, Int. No. 742, entitled "An act to amend section 2 of chapter 283 of the Laws of 1850, entitled 'An act to amend the Revised Statutes, relating to grants of land under water'" reported in favor of the passage of the same, with amendments, which report was agreed to.

On motion of Mr. Townsend, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on revision.

Mr. Huntting, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Rhodes, Int. No. 824, entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the compensation of Hell Gate pilots," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Rhodes, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and referred to the committee on revision.

Mr. Kimball, from the committee on railroads, to which was referred the bill introduced by Mr. Graham, Int. No. 1071, entitled "An act to extend the time for the completion of the Hudson Tunnel Company," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kimball, from the committee on railroads, to which was referred the bill introduced by Mr. Haggerty, Int. No. 711, entitled "An act to amend chapter 198 of the Laws of 1876, entitled 'An act to amend chapter 140 of the Laws of 1850, entitled An act to authorize the formation of railroad corporations and to regulate the same,' so far as the same relates to cities of less than 1,000,000 inhabitants," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Kimball, from the committee on railroads, to which was referred the bill introduced by Mr. McCann, Int. No. 726, entitled "An act in regard to the taxation of elevated railroads in cities of less

than 1,000,000 inhabitants," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act in relation to the taxation of the structures of elevated railroads in cities of less than 1,000,000 inhabitants," which report was agreed to and said bill committed to the committee of the whole.

Mr. McCann moved that said bill be made a special order for April seventeenth.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Kimball, from the committee on railroads, to which was referred the bill introduced by Mr. Brownell, Int. No. 1145, entitled "An act to regulate passenger fares on the Fonda, Johnstown and Gloversville railroad," reported the same for the consideration of the House, and said bill committed to the committee of the whole.

On motion of Mr. Kimball, it was ordered that said bill, when printed, be recommitted to the committee on railroads.

Mr. Kimball, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Raines, Int. No. 236, entitled "An act to amend section 3 of chapter 439 of the Laws of 1884, entitled 'An act for the better protection of life and property upon the railroads of this State, to promote the safer and better management of steam railroads,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Moody, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

Mr. Kimball, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Walker, Int. No. 227, entitled "An act to amend chapter 140 of the Laws of 1850, entitled 'An act to authorize the formation of railroad corporations and to regulate the same,'" reported in favor of the passage of the same, which report was agreed to; and said bill committed to the committee of the whole.

Mr. Moody, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Townsend, Int. No. 1028, entitled "An act to amend chapter 497 of the Laws of 1884, entitled 'An act to amend chapter 141 of the Laws of 1871, entitled An act to abolish tolls on certain roads and bridges in the towns of Newtown and Flushing, in the county of Queens, and provide compensation therefor,'" reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Moody, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Andrus, Int. No. 1085, entitled "An act to incorporate the River Bridge Company," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. West, from the committee on Indian affairs, to which was referred the bill introduced by Mr. Whipple, Int. No. 1056, entitled "An act to prohibit the St. Regis Indians residing in the Dominion of Canada from trespassing and settling upon that portion of the reservation of the St. Regis Indians residing in this State," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Whipple, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and referred to the committee on revision.

Mr. Curtis, from the committee on excise, to which was referred the bill introduced by Mr. Curtis, Int. No. 956, entitled "An act to prevent the adulteration of strong or spirituous liquors, wine, ale or beer," reported in favor of the passage of the same, with amendments (Mr. Mullaney dissenting), which report was agreed to, and said bill committed to the committee of the whole.

Mr. Curtis, from the committee on excise, to which was referred the bill introduced by Mr. Nixon, Int. No. 601, entitled "An act to repeal chapter 679 of the Laws of 1887, entitled 'An act to regulate the sale of strong and spirituous liquors, wine, ale or beer, in quantities of five gallons or upwards,'" reported in favor of the passage of the same, with amendments (Mr. Mullaney dissenting), and the title amended so as to read "An act to amend chapter 679 of the Laws of 1887, entitled 'An act to regulate the sale of strong and spirituous liquors, wine, ale or beer, in quantities of five gallons or upwards,'" which report was agreed to.

On motion of Mr. Nixon, and by unanimous consent, the rules was suspended and said bill ordered to a third reading and referred to the committee on revision.

Mr. Curtis, from the committee on excise, to which was referred the bill introduced by Mr. Hamilton, Int. No. 936, entitled "An act to provide for the purchase and distribution of a compilation of the excise laws of the State of New York," reported in favor of the passage of the same (Mr. Mullaney dissenting), which report was agreed to, and said bill committed to the committee of the whole.

Mr. Curtis, from the committee on excise, to which was referred the bill introduced by Mr. Longley, Int. No. 853, entitled "An act to exempt the Columbia Agricultural and Horticultural Association from the provisions of chapter 35 of the Laws of 1888, entitled 'An act to prohibit the sale and use of intoxicating liquors at State and county fairs,'" reported adversely thereto (Mr. Mullaney dissenting), which report was agreed to and said bill rejected.

Mr. Curtis, from the committee on excise, to which was referred the bill introduced by Mr. Crosby, Int. No. 408, entitled "An act to amend chapter 646 of the Laws of 1873, entitled 'An act to suppress intemperance, pauperism and crime,'" reported adversely thereto (Messrs. Young, Mullaney and Bush dissenting), which report was agreed to and said bill rejected.

Mr. Towne, from the committee on claims, to which was referred the bill introduced by Mr. Demarest, Int. No. 69, entitled "An act to authorize the Board of Claims to hear, audit and determine the claim of Charles B. Benson, and to make an award thereon," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Demarest, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and referred to the committee on revision.

Mr. Towne, from the committee on claims, to which was referred the bill introduced by Mr. McAdam, Int. No. 456, entitled "An act to authorize the Board of Claims to hear, audit and determine the

claims of Salmon Tuttle against the State for property taken and damages to other property caused by the State, and for loss incurred or growing out of the enlargement of the Erie canal, and to made an award therefor," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Towne, from the committee on claims, to which was referred the bill introduced by Mr. Cottrell, Int. No. 761, entitled "An act to release to John Feller the title and interest of the people of the State of New York in and to certain lands in the county of Allegany, descended to him as heir-at-law of Christian Feller, his son, late of the town of Willing, in said county, deceased," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to release to George Feller the title and interest of the people of the State of New York in and to certain lands in the county of Allegany, descended to him as heir-at-law of Christian Feller, his son, late of the town of Willing, in said county, deceased," which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Towne, from the committee on claims, to which was referred the bill introduced by Mr. Kerrigan, Int. No. 1008, entitled "An act to release to Mary McGarvey Huston, the only child and heir-at-law of William McGarvey, deceased, the interest of the people of the State of New York in the personal property of which William McGarvey and Ellen Nealey McGarvey, or either of them, died possessed," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Rhodes, from the committee on banks, to which was referred the bill introduced by Mr. Graham, Int. No. 1129, entitled "An act to incorporate the Union Loan, Trust and Safe Deposit Company of the city of Brooklyn," reported the same for the consideration of the House, and said bill committed to the committee of the whole.

On motion of Mr. Rhodes, it was ordered that said bill, when printed, be recommitted to the committee on banks.

Mr. Rhodes, from the committee on banks, to which was referred the bill introduced by Mr. Rhodes, Int. No. 517, entitled "An act to amend section 290 of chapter 409 of the Laws of 1882, entitled 'An act to revise the statutes of this State relating to banks, banking and trust companies,' as amended by chapter 477 of the Laws of 1885," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Rhodes, from the committee on banks, to which was referred the Senate bill introduced by Mr. Walker, Int. No. 189, entitled "An act to amend chapter 409 of the Laws of 1882, entitled 'An act to revise the statutes of this State, relating to banks, banking and trust companies,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Nixon, from the committee on internal affairs, to which was referred the bill introduced by Mr. Sheldon, Int. No. 1157, entitled "An act authorizing the supervisors of the town of Penfield, in the county of Monroe, and the trustees of burying-ground No. 1, in said

town, to convey certain real estate to the Oakwood Cemetery Association of Penfield, Monroe county, N. Y., and conferring certain powers on said association," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 313 of the Laws of 1886, entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of New York'" (No. 971), reported the same with the recommendation that it be amended as follows:

Section 1, line 7, strike out all of the line after the word "preceding" and insert in place thereof the words "the eleventh day of May."

Same section, line 11, after the word "act" insert the words "as hereby amended."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 555, Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction'" (No. 1046), reported the same with the recommendation that it be amended as follows:

Section 1, line 4, after the word "instruction" insert the words "as amended by chapter 567 of the Laws of 1875, and chapter 250 of the Laws of 1883."

Amend title by inserting at the end thereof the following: "And acts amendatory thereof, relating to collector's returns of uncollected taxes."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act relative to the power of the board of street opening and improvement in the city of New York" (No. 676), reported the same with the recommendation that it be amended as follows:

Amend the title by adding at the end thereof the words "relative to street bridges."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend section 3 of chapter 40 of the Laws of 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes'" (No. 1009), reported the same with the recommendation that it be amended as follows:

Section 1, line 2, after the word "forty-eight" insert "as amended by chapter 232 of the Laws of 1883."

Amend the title by striking out the words "section three of" in line 1. Also, by adding at the end of the title the words "and acts amendatory thereof, relating to trustees, their number and election."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend sections 8 and 9 of chapter 436 of the Laws of 1880, entitled 'An act to establish a police department in the city of Buffalo, and to provide for the government thereof'" (No. 952), reported the same with the recommendation that it be amended as follows:

Section 1, line 4, after the word "thereof" strike out the words "and the acts amendatory of the same" and insert in place thereof the words "as amended by chapter 359 of the Laws of 1883."

Section 2, line 1, after the word "act" insert the words "as amended," and after the word "hereby" insert the word "further."

Amend the title by striking out the words "sections eight and nine of" in line 1, and add at the end of the title the words "relating to the police force."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendation:

"An act to amend chapter 585 of the Laws of 1886, entitled 'An act to authorize the several towns of the State to elect a board of town auditors, and to prescribe their powers and duties,' as amended by chapter 488 of the Laws of 1888." (No. 437.)

"An act to amend chapter 305 of the Laws of 1853, entitled 'An act to consolidate the several school districts and parts of districts in the village of Pulaski into one district and provide for a school therein.'" (No. 773.)

"An act to amend section 407 of the Penal Code, relating to the adulteration of food, drugs, liquors, etc." (No. 1031.)

"An act to exempt 'The Berachah Mission,' in the city of New York, from taxation and assessments." (No. 1079.)

"An act to authorize and empower Louisa Cota Smith to take, hold and convey property in the same manner and with the same effect as if a native-born citizen of the United States." (No. 1074.)

"An act to repeal subdivision 11 of section 75 of chapter 6 of title 3 of part 2 of the Revised Statutes, relating to distribution of personal estate of intestates among relatives." (No. 1073.)

"An act to incorporate the 'New York School of Anatomy' in the city of New York." (No. 1875.)

Ordered, That said bills be engrossed for a third reading.

Mr. Coon, from the committee on public education, to which was referred the bill introduced by Mr. Blumenthal, Int. No. 1127, entitled "An act relative to common schools in the city of New York, and providing for the employment of assistant teachers in certain cases," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Blumenthal, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on revision.

Mr. Crosby moved to lay all orders of business upon the table for the purpose of going into committee of the whole upon Assembly bill No. 471, entitled "An act to amend section 12 of title 15 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' in reference to water-works."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

{ AYES 61 }
{ NOES 34 }

Those who voted in the affirmative, were

Acker	Crosby	Hamilton	McAdam	Smith, M. A.
Adams	Curtis	Hughes	McKenzie	Stevens
Ainsworth	Dante	Hunting	Mead	Tefft
Baker, A. B.	Davidson	Husted	Mesick	Towne
Baker, A. H.	Decker	Kimball	Moffitt	Townsend
Bauer	Donaldson	King	Moody	Treadway
Brownell	Dunlap	Lane	Nixon	Upton
Carson	Edwards	Larmon	Pearsall	Van Gorder
Cheney	Fitts	Le Roy	Peck	West
Clark, J.	Flaherty	Little	Rhodes	Whipple
Comstock	Gallup	Loder	Saunders	Yates
Coon	Groat	Mase	Savery	Speaker
Cottrell				

Those who voted in the negative, were

Blake	Endres	Hayes	McLaughlin	Ryan
Blanchfield	Graham	Kelly	Miley	Schaaff
Blumenthal	Guenther	Kent	Mullaney	Sheehan
Connelly	Haffner	Kerrigan	Murray	Strassburg
Creamer	Hagan	Longley	O'Neil	Sullivan
Demarest	Haggerty	McCann	Rice	Yetman
Dunham	Harwood	McCarren	Roesch	

The Senate returned the bill entitled "An act to amend chapter 298 of the Laws of 1883, entitled 'An act to provide for the government of the city of Albany'" (No. 160), with a message that they have concurred in the passage of the same with the following amendments:

Strike out all after the enacting clause, and insert in lieu thereof the following:

SECTION 1. Title 3 of chapter 298 of the Laws of 1883, entitled "An act to provide for the government of the city of Albany," is hereby amended by adding thereto the following sections:

§ 53. Whenever a petition is presented to the common council, signed and acknowledged by one or more persons owning not less than one-half of the number of feet fronting both sides of that portion of the street, avenue, court or alley to be improved, as shall appear by the last annual tax-roll on file in the office of the receiver of taxes, of which fact the certificate of the city engineer shall be conclusive evidence, and which petition shall, in other respects, be in the manner

and form authorized and required by the charter of the city of Albany for the grading, filling, forming, curbing, paving or repaving the carriage-way, and for the flagging, sodding and setting out trees on the sidewalk of any street, avenue, court or alley, or any part thereof, not less than 1,000 lineal feet, with such kind of pavement, except cobblestone, as shall be set forth in the petition; said common council is authorized, in its discretion, to provide for the general manner of the execution of such work, and to take such action as under the charter of the city and the laws relating to same shall be proper in the premises, and to direct such work to be done; and it shall be the duty of the board of contract and apportionment and the other boards and officers of said city to carry the same into execution and effect.

§ 54. Such work in the last preceding section provided for, if authorized by the common council, shall be done in all respects in accordance with the Laws of the State of New York, and the laws, ordinances and resolutions of the common council of the city of Albany. Whenever such work shall have been completed, the expenses thereof shall be imposed and assessed upon the property benefited thereby in like manner and form as other assessments for work done in said city are laid and imposed, and such assessment, where so made, shall be conclusive evidence of the regularity of all prior proceedings taken and had under the provisions of this act, and shall be and constitute a lien and charge upon the several pieces of land and franchises therein described; and the general provisions of the charter of the city of Albany now existing or hereafter to be enacted, as to the validity of any assessment to the extent of any certificates of indebtedness issued in payment thereof, shall be applicable and shall apply to the assessment in this act provided for to the extent of any bonds issued hereunder to pay for the same.

§ 55. If such petition shall be duly presented to the common council and shall be certified by the city engineer, as above provided for, then in such case the assessment for the expense of such work above provided for shall be and become due and payable in the manner and at the time and in the proportion following, and not otherwise, that is to say: One-fifth part of each of such assessment, with interest on the whole amount of the entire assessment up to that time remaining unpaid from and after the date of the confirmation of such assessment, at and after the rate of interest specified in the bonds of the city issued under this act, shall be payable on the first day of September following the confirmation of such assessment; and one-fifth part thereof with like interest on the whole amount of the entire assessment up to that time remaining unpaid from the date at which the last previous payment of interest is provided to be paid, shall be and become due and payable on each succeeding first day of September, until the whole of such assessment shall be paid. The owner of any piece of property so assessed may, at any time, pay to the chamberlain of the city of Albany the entire assessment upon his property, with interest at the rate aforesaid up to the time of such payment, and thereupon said property shall be discharged from the lien of such assessment. In case any payment so above provided for shall not be made when, as above provided for, it becomes due and payable, then such amount shall be collected by a sale of the property assessed, and

such other, if any, proceeding as may be provided by law for the collection of ordinary assessments in said city. It shall be the duty of the chamberlain of the city of Albany immediately when any such default shall take place, to proceed, under the provisions of the charter of said city, to advertise the premises assessed for such amount so in default, and to sell the same for the amount due thereon, with interest on such amount from the time of such default, at the rate prescribed by the charter of said city in the case of ordinary city assessments, together with the costs and charges of the notice and sale. The property shall be sold subject to all subsequent payments chargeable thereto under the said assessment, and subject to any other city assessment then a lien thereon, and the chamberlain's certificate and chamberlain's declaration of sale shall each be conclusive evidence of the regularity of all proceedings prior thereto, including the sale.

§ 56. It shall be the duty of the board of finance of the city of Albany, upon the confirmation of any assessment mentioned in section fifty-five of this act, to cause to be prepared and executed in the usual form, bonds of said city to be known as improvement bonds (designating thereon the name of the street or avenue improved), and to sell so many of the same as, near as may be, as shall produce an amount equal to such assessment, at public auction at not less than par, after notice of such intended sale shall have been published for ten days, Sundays and legal holidays excepted, in the three city newspapers appointed and authorized to publish city notices in the city of Albany. Such bonds shall bear interest interest at (not exceeding) three and one-half per centum per annum, and shall be so respectively made payable, that of the principal sum thereby secured to be paid there shall fall due on each first day of November following, each first day of September succeeding the confirmation of the assessment above provided for, bonds representing one-fifth part of the aforesaid assessment, to represent which said bonds shall be issued. The principal and interest upon such bonds shall be paid by the city, as they respectively mature, out of the amount collected from the assessment to pay the amount for which the bonds were issued. Should there not be sufficient money in the chamberlain's hands, collected from such assessment, to pay the bonds or any of them or the interest thereon, when they mature, then such bonds or interest shall be paid out of the general debt sinking fund of the city, and in such case any money thereafter collected from the assessment shall be paid into such sinking fund. The proceeds of such bonds shall be applied to the payment of the amount due to the contractor and any other expense represented in and covered by such assessment. The provisions of sections 53, 54, 55 and 56, of this title, shall not be applicable to any work done under the provisions of the charter of the city of Albany, and any assessment for such work shall be collected and paid in all respects as other assessments are provided to be collected and paid in and under the provisions of the charter of said city, unless the common council shall, in the law or ordinance providing for the doing of such work, direct that the provisions of sections 53, 54, 55 and 56 of this title shall be applicable thereto, and which said ordinance must receive the vote of two-thirds of all the members elected to said common council, and be approved by the mayor, and

if disapproved by the mayor shall not be passed, notwithstanding such disapproval, except by the vote of four-fifths of all the members elected to said common council, which provisions in the law or ordinance for such work, the persons signing a petition for the doing of work are authorized to make a condition of said petition taking effect.

§ 57. The common council may, by a vote of two-thirds of all the members elected to said common council, direct that the expense of laying drains or sewers under the sidewalk or carriageway of that portion of any street, avenue, court or alley, which shall be improved under the provisions of section 53, 54, 55 and 56 of this title (if the laying of such drains or sewers be duly authorized by law), be included in the assessment for such improvement made due and payable in the manner prescribed by section 55 of this title.

§ 58. No bonds for street improvements shall be issued by the city of Albany when the amount outstanding, issued for street improvements, together with those proposed to be issued, shall exceed the sum of \$750,000.

§ 59. This act shall take effect immediately.

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Hamilton	McKenzie	Savery
Adams	Davidson	Hayes	McLaughlin	Schaaff
Ainsworth	Decker	Hitt	Mead	Sheehan
Baker, A. B.	Demarest	Hughes	Mesick	Stevens
Bauer	Dinkelspiel	Husted	Miley	Strassburg
Blanchfield	Donaldson	Kelly	Miller	Tefft
Blumenthal	Dunham	Kent	Moffitt	Towne
Brownell	Dunlap	Kerrigan	Moody	Treadway
Carson	Edwards	Kimball	Mullaney	Upton
Cheney	Endres	Lane	Murray	Van Gorder
Clark, J.	Fitts	Larmon	Newschafer	Walters
Comstock	Flaherty	Le Roy	O'Neil	West
Connelly	Graham	Little	Pearsall	Yates
Coon	Groat	Loder	Peck	Yetman
Cottrell	Haffner	McCann	Rice	Young
Creamer	Haggerty	McCarren	Ryan	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 4, 1889. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 322, entitled

"An act to authorize and provide for the construction and maintenance of sewers and drains in and for the village of New Rochelle, and for the payment of the expenses thereof."

DAVID B. HILL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Creamer	Graham	Loder	Rhodes
Adams	Crosby	Greene	Martin	Rice
Ainsworth	Curtis	Groat	McCann	Roesch
Baker, A. B.	Davidson	Guenther	McCarren	Ryan
Baker, A. H.	Decker	Haggerty	McKenzie	Saunders
Bauer	Demarest	Hamilton	McLaughlin	Savery
Blanchfield	Dinkelspiel	Hitt	Mesick	Sheehan
Blumenthal	Donaldson	Hughes	Moffitt	Stevens
Brownell	Duffy	Husted	Moody	Towne
Carson	Dunham	Kelly	Mullaney	Townsend
Cheney	Dunlap	Kent	Murray	Upson
Clark, J.	Edwards	Kerrigan	Newschafer	Van Gorder
Comstock	Endres	Kimball	Nixon	West
Connelly	Fitts	Lane	O'Neil	Yates
Coon	Flaherty	Larmon	Pearsall	Yetman
Cottrell	Gibbs	Little	Peck	Young

The vote upon the final passage of said bill having been reconsidered, On motion of Mr. Rhodes, and by unanimous consent, the same was amended as follows :

Section 7, line 1, strike out the words "and directed."

Page 8, line 20, engrossed bill, change the word "certificate" to "certificates."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Hamilton	McKenzie	Saunders
Baker, A. B.	Demarest	Harwood	McLaughlin	Savery
Baker, A. H.	Donaldson	Hayes	Mead	Schaaff
Bauer	Duffy	Husted	Mesick	Sheehan
Blanchfield	Dunham	Kelly	Miley	Strassburg
Blumenthal	Dunlap	Kent	Miller	Sullivan
Brownell	Edwards	Kerrigan	Moody	Tefft
Carson	Endres	Kimball	Mullaney	Towne

Cheney	Fitts	King	Murray	Treadway
Clark, J.	Flaherty	Lane	Newschafer	Upson
Comstock	Gibbs	Le Roy	Nixon	Van Gorder
Connelly	Graham	Little	O'Neil	West
Cottrell	Greene	Loder	Pearsall	Yates
Creamer	Groat	Martin	Rhodes	Yetman
Curtis	Guenther	McAdam	Roesch	Young
Davidson	Haffner	McCarren		

Ordered, That the Clerk return said bill to the Senate, and request their concurrence therein, as amended.

A communication from the Governor, was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 11, 1889. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly herewith is returned for amendment Assembly bill No. 297, entitled "An act to amend chapter 370 of the Laws of 1875, entitled 'An act to amend and consolidate the several acts relating to the city of Elmira.'"

DAVID B. HILL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Haggerty	McLaughlin	Saunders
Adams	Demarest	Hamilton	Mead	Schaaff
Baker, A. B.	Dinkelspiel	Harwood	Mesick	Sheehan
Baker, A. H.	Donaldson	Hayes	Miley	Smith, M. A.
Bauer	Duffy	Hornidge	Miller	Strassburg
Blanchfield	Dunham	Husted	Moody	Sullivan
Blumenthal	Dunlap	Kelly	Mullaney	Tefft
Brownell	Edwards	Kent	Murray	Towne
Carson	Endres	Kerrigan	Newschafer	Townsend
Cheney	Fitts	Kimball	Nixon	Treadway
Clark, J.	Flaherty	Lane	O'Neil	Upson
Comstock	Gibbs	Larmon	Pearsall	Van Gorder
Connelly	Graham	Le Roy	Peck	Walters
Creamer	Greene	Little	Rhodes	West
Curtis	Groat	Loder	Rice	Yetman
Dante	Guenther	McCarren	Roesch	Young
Davidson	Haffner	McKenzie		

The vote upon the final passage of said bill having been reconsidered, On motion of Mr. Roesch (for Mr. Bush), and by unanimous consent, the same was amended as follows:

Page 14, line 20, engrossed bill, strike out the word "eighty-eight" and insert in place thereof the word "eighty-nine."

Section 17, before the last word, "charge," of said section, insert the word "their."

Section 7, lines 21 to 23, strike out the words "The chief of police shall have like control of the special police constables, subject to the orders of the mayor" and insert in place thereof the words "The police constables shall perform their duties as prescribed by the board of police commissioners, under the direction of the recorder."

Strike out section 18, and add to said bill at the end thereof the following sections, as hereinafter numbered, consecutively from sections 18 to 27, both inclusive:

§ 18. Subdivision 8 of section 136 of said chapter 370 of the Laws of 1875, as amended by section 5 of chapter 135 of the Laws of 1886, is hereby amended so as to read as follows:

8. No wall, structure, building, part or parts thereof, shall hereafter be built, constructed, altered, repaired or removed in said city within the following limits, to wit: Beginning at a point in the center of East Church street and in the center of Madison avenue, thence south in the center of said avenue to low water mark in the Chemung river, thence westerly along said low water mark of said river to a point in the center of Columbia street, thence north along the center of Columbia street to the center of West Church street, thence east along the center of West Church street to the center of College avenue, thence north along the center of College avenue to the center of West Fourth street, thence east along the center of West Fourth street continued to a point in the center of State street, thence southerly along the center of State street to the center of East Second street, thence easterly along the center of East Second street to the center of Baldwin street, thence southerly along the center of Baldwin street to the center of East Church street, thence easterly along the center of East Church street to the place of beginning, except in conformity with the provisions of this act, and the said board of fire commissioners shall have power within said limits to direct and provide that every such wall, building, structure, part or parts thereof, which shall hereafter be built, constructed, altered, repaired or removed within said limits shall be constructed of brick or stone or some metallic or incombustible material, with partition walls, fire-proof roof, and brick, stone or metallic cornices and eave-troughs.

§ 19. Section 136 of said act is hereby amended by adding thereto a new subdivision, as follows:

9. The said chief engineer shall also be the fire marshal of said city, and have all the powers and discharge all the duties hereby granted to and imposed upon the fire marshal by the provisions of this act. Said fire marshal shall, under and subject to such rules, regulations and orders as may be established by the board of fire commissioners, have charge of all matters relating to buildings and structures in the city of Elmira devolved on said board of fire commissioners; and said fire marshal may also be authorized by the board of fire commissioners to perform any duty or exercise any power or authority intrusted to said board of fire commissioners in reference to buildings and structures.

§ 20. Section 137 of said act is hereby amended so as to read as follows:

§ 137. The said board of fire commissioners shall have power, and it shall be their duty to regulate the construction of chimneys, flues, stove pipes and other conductors of smoke, and prevent the dangerous construction or condition of chimneys, fire places, hearthstones, stove pipes, ovens, boilers and apparatus used in any building or manufactory in said city, and to cause the same to be removed or placed in a safe and secure condition when considered dangerous; to prevent the deposit of ashes in unsafe places; to regulate and prevent the carrying on of manufactories dangerous in causing or promoting fires; and to regulate and prevent the use of fire works within the city limits; to compel the owners and occupants of houses and other buildings to have scuttles in roofs and stairs and ladders leading to the same; to keep away from the vicinity of any fire all idle and suspicious persons; to compel all officers of the city and other persons to aid in the extinguishment of fires, and in the preservation of property exposed to danger thereat; to compel the construction of suitable fire-escapes and means of egress from all theaters and places of amusement, hotels, churches and factories, and other buildings, and generally to establish such regulations for the prevention and extinguishment of fires and the safety of occupants of buildings as they may deem expedient. Said fire commissioners and fire marshal shall also be fire wardens and possess all the powers of fire wardens under this act. They shall have power at all reasonable times, and it shall be their duty, to enter into and examine all buildings, lots, yards and premises in the day time; to inspect all places therein where fires are used; to ascertain how ashes are kept, and to direct obedience to all the provisions of this act and rules and regulations of the board of fire commissioners relating to the prevention of fires and to the construction, alteration, removal and repairs of all buildings in said city. The rules and regulations to be adopted by the said board of fire commissioners, under the provisions of this act, shall be published in the same manner as is now provided by this act for the publication of city ordinances, adopted by the common council.

§ 21. Section 138 of said act is hereby amended so as to read as follows:

§ 138. Before the erection, construction, alteration or repair or any building or part of any building within the limits hereinbefore defined is commenced, the owner shall submit to the board of fire commissioners a detailed statement in writing of the specifications of such proposed building, erection, alteration, removal or repair, which shall be accompanied by a statement in writing, sworn to before an officer duly authorized to take proof and acknowledgment of deeds, giving the full name and residence of the owner or each of the owners of such building or proposed building, with street and number where the same is to be placed. If such erection, construction, alteration, removal or repair is proposed to be made by any other person than the owner or owners of the land in fee, the person or persons intending to make such erection, alteration or repair shall accompany said detailed statement of the specifications with a statement in writing, sworn to as aforesaid, giving the full name and residence of the owner or owners

of the land, and also of every person interested in said building or proposed building, either as owner, lessee or in any representative capacity; such sworn statement may be made by the agent of the person or persons hereinbefore required to make the same, and the same with the copy of said specifications shall be kept on file in the office of the board of fire commissioners; and the erection, construction, alteration or repair of said building or any part thereof shall not be commenced or proceeded with until said sworn statement shall have been so filed, and said specifications have been approved by the fire marshal. But the board of fire commissioners may in their discretion and for reasons to be stated in writing and filed with the plans and specifications, dispense with the making of said sworn statement in any case. Any false swearing in a material point in any statement submitted in pursuance of the provisions of this section, shall be deemed perjury and shall be punished as such.

§ 22. Section 139 of said act is hereby amended so as to read as follows:

§ 139. The board of fire commissioners shall have full power in passing upon any question relative to the mode, manner of construction or materials to be used in the erection, alteration or repair of any building within the limits hereinbefore defined, to make the same conform to the rules and regulations established by them for the construction thereof, and shall also have discretionary power upon application therefor to modify or vary any of the rules and regulations by them made, to meet the requirements of special cases, where the same do not conflict with the public safety and the public good, so that substantial justice may be done, but no such deviation shall be permitted, except a record of the same shall be kept by said board of fire commissioners, and a certificate be first issued to the party applying for the same.

§ 23. Section 140 of said act is hereby amended so as to read as follows:

§ 140. The owner or owners of any wall, structure, building, part or parts thereof hereafter to be built, constructed, altered, repaired or removed within the limits hereinbefore defined, of any kind whatsoever, whether he or they be the owner or owners in fee of the land, or lessee or lessees thereof, or shall have a qualified or contingent interest therein by virtue of some agreement or contract in writing, or in any other manner, and any master, architect or architects, builders, carpenters or masons, who may be employed or assist therein, and any and all persons who shall violate any of the provisions of this and the foregoing sections, or any rule or regulation duly adopted and published by said board in pursuance of the provisions of this act, shall severally and for each and every such violation respectively forfeit and pay a penalty in the sum of fifty dollars, for the recovery of which an action may be brought in the name of the city of Elmira in any court of competent jurisdiction. The said board of fire commissioners is hereby authorized in its discretion, good and sufficient cause being shown therefor, to remit any fine or fines, penalty or penalties, which any person or persons may have incurred or may hereafter incur under the provisions of this act. Any court of record in said city or any judge or justice thereof shall

have power at any time after the service of notice of violation of any of the provisions of this act, or any of the rules or regulations of the board of fire commissioners, duly adopted and published in accordance with the provisions of this act, and upon the affidavit of the fire marshal or any member of the board of fire commissioners to restrain by injunction order the further progress of any violation of said act, rule or regulation, and no undertaking shall be required as a condition to the granting or issuing of such injunction, or by reason thereof.

§ 24. Subdivision 6 of section 76 of said act is hereby repealed.

§ 25. Said chapter 370 of the Laws of 1875 is hereby amended by adding thereto the following sections, to be known as title 15 of said act:

TITLE XV.

§ 160. The public parks and pleasure grounds owned by the city of Elmira shall be under the general control and management of park commissioners thereof, who shall be the mayor, and four other persons, to serve without compensation, and who shall constitute the board of park commissioners of said city in the manner following, viz.:

1. The mayor shall nominate from the electors of said city, and by and with the consent of at least ten members of the common council appoint four commissioners who shall be so nominated and appointed that the two principal political parties represented in the council shall each be represented by two of such commissioners, respectively. Two of said commissioners, being one from each of said political parties, shall hold their offices until the first regular meeting of the common council in January, 1890, or until their successors shall be appointed, and remaining two of said commissioners shall hold their offices until the first regular meeting of said common council in January, 1891, or until their successors shall be appointed.

2. At the expiration of the said respective terms of office of said commissioners, the full term thereafter shall be for two years, and within the twenty days next preceding the expiration of their term the mayor shall, from the electors of said city, nominate, and by and with the consent of at least ten members of the common council, appoint two commissioners to fill the impending vacancies, which appointments shall be for the ensuing two years. Whenever any vacancy shall occur in said board by death, resignation, removal or otherwise, the mayor and common council shall have the power, and it shall be their duty to fill the vacancy in the manner hereinbefore provided for regular appointments. Whenever specific charges shall be preferred against any member of said commission, the common council, by a three-fourths vote thereof, shall have the power to remove from office any such commissioner, except the mayor, after giving to such commissioner a copy of the charges against him, and an opportunity to be heard in his defense.

3. The said commissioners collectively shall constitute the board of park commissioners of the city of Elmira, of which board the mayor shall be president, and the city clerk shall be clerk of said board. Such board may adopt rules and by-laws for the government thereof and may promulgate and enforce proper rules, regulations and orders con-

cerning the preservation and use of the public parks and pleasure grounds belonging to said city.

4. The said park commissioners, before entering upon the duties of their office respectively shall take upon themselves the usual oath of office, and shall meet at the mayor's office or any other suitable place at such time as may be expedient, or as they shall from time to time designate. If either of said appointed park commissioners shall be elected to, or accept the office of mayor or alderman, then the mayor and common council shall proceed as in case of vacancy, and no alderman shall be eligible for appointment as park commissioner.

§ 161. The city chamberlain shall keep a separate book for the accounts of the board of park commissioners, and shall be the treasurer of such board. He shall receive and credit the park fund with the amount, included in the mayor's estimate for park purposes, all moneys received by the commissioners from other sources and also all penalties collected for violations of city ordinances in relation to said parks and shall charge such fund with all sums of money expended as hereinafter provided.

§ 162. The board of park commissioners shall be entitled to receive such moneys as may be contributed from any and all sources, except that allowed by the mayor's estimates, for the uses and maintenance of the public parks of said city. They shall at once pay all such moneys to the city chamberlain and shall render an account of the same to the finance committee of the common council on the first days of January, April, July and October in each year. They shall make contracts for maintaining, repairing and improving the parks and the property belonging therein, and shall audit all bills incurred on such account, which bills shall be filed with the city clerk, approved by the finance committee of the common council, and paid by the city charter provided for other city accounts.

§ 163. The board of park commissioners are hereby authorized and empowered to proceed to acquire for public park purposes the title to such lands situate in the city or town of Elmira as they may deem expedient and necessary for the purposes of a public park for said city, by purchasing, subject to the provisions of section 164 of this act, from the owners of said lands, if said board can agree upon the price therefor with the owners and occupants thereof; and if they cannot so agree, the said board shall have the right, with the approval and consent of the common council, to take proceedings to acquire title to the same according to and in pursuance of the provisions of chapter 140 of the Laws of 1850, entitled "An act to authorize the formation of railroad corporations, and to regulate the same."

§ 164. When the said board of park commissions shall have ascertained the sum for which said lands may be purchased by agreement, or may be obtained by the proceedings aforesaid, said board shall report such sum, together with all costs and expenses of such proceedings, if any, to the common council. If the said common council shall approve the same, they shall thereupon order a special election to be held in accordance with the provisions of section 71 of the city charter, and if the result of said election shall be in favor of said purchase, then, and in that case, the said common council shall issue the bonds of said city for the amount of said purchase-price and

expenses, bearing interest not to exceed four per centum per annum, and payable in such amounts and at such times as may be determined by said common council, said bonds to be sold at not less than their par value and accrued interest. And in addition to the amount authorized by the charter of said city to be levied and collected in any one year, there shall be levied and collected on the taxable property in said city, in the same manner as the general city taxes are now levied and collected, an amount sufficient to pay the annual interest on said bonds and the principal thereof as the same shall become due. The proceeds of the sale of said bonds, or so much thereof as may be necessary, shall be paid to said board of park commissioners for the purpose of completing such purchase by agreement or by the proceedings aforesaid, and upon the completion thereof the real estate so purchased or acquired under and by virtue of this act shall be vested in the city of Elmira, and if such real estate shall have been theretofore a part of the town of Elmira the same shall not thereafter be a part of such town but shall be a part of the territory of said city. If the said electors at special election shall, by a majority of the votes cast thereat, determine not to purchase or acquire the said lands, then and in that case the said city or said owners may move the Supreme Court to discontinue the proceedings aforesaid upon such terms as to costs as said court shall determine.

§ 26. Chapter 499 of the Laws of 1880, entitled "An act to provide a public park for the city of Elmira, and for the care of the same," is hereby repealed.

§ 27. This act shall take effect immediately.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Davidson	Hagan	Longley	Rice
Adams	Decker	Hamilton	Martin	Roesch
Ainsworth	Demarest	Harwood	McAdam	Ryan
Baker, A. B.	Dinkelspiel	Hayes	McCarren	Saunders
Baker, A. H.	Donaldson	Hitt	McKenzie	Savery
Bauer	Duffy	Hornidge	McLaughlin	Sheehan
Blanchfield	Dunlap	Hughes	Mead	Smith, M. A.
Blumenthal	Edwards	Husted	Miley	Stevens
Brownell	Endres	Kelly	Miller	Sullivan
Carson	Fitts	Kent	Moody	Tefft
Cheney	Flaherty	Kerrigan	Mullaney	Towne
Clark, J.	Gibbs	Kimball	Murray	Treadway
Connelly	Graham	King	Newschafer	West
Cottrell	Greene	Lane	Nixon	Whipple
Crosby	Groat	Larmon	O'Neil	Yates
Curtis	Guenther	Le Roy	Pearsall	Yetman
Dante	Haffner	Little	Rhodes	Young

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate returned the bill entitled "An act to authorize the common council of the city of New York to provide for the celebration of the centennial anniversary of the inauguration of George Washington as first President of the United States" (No. 769), with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, lines 1, 2, 3 and 4, strike out the words "the sum of fifteen thousand dollars hereby is appropriated out of the general fund of the mayor, aldermen and commonalty of the city of New York" and insert in place thereof the words "The board of estimate and apportionment of the city of New York is hereby authorized and empowered to appropriate the sum of fifteen thousand dollars to the use of the board of aldermen."

Same section, line 10, after the word "and" insert the words "upon such appropriation being made."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Guenther	McAdam	Saunders
Adams	Curtis	Haffner	McCarren	Savery
Baker, A. B.	Dante	Hagan	McLaughlin	Schaaff
Baker, A. H.	Davidson	Haggerty	Mead	Sheehan
Bauer	Decker	Hamilton	Mesick	Smith, M. A.
Blanchfield	Demarest	Harwood	Miley	Stevens
Blumenthal	Dinkelspiel	Hornidge	Moody	Sullivan
Brownell	Duffy	Hughes	Mullaney	Tefft
Carson	Dunhan	Husted	Murray	Towne
Cheney	Dunlap	Kelly	Newschafer	Treadway
Clark, J.	Endres	Kent	Nixon	Van Gorder
Comstock	Fitts	Kerrigan	O'Neil	West
Connelly	Flaherty	Kimball	Pearsall	Whipple
Coon	Graham	Lane	Peck	Yates
Cottrell	Greene	Larmon	Rhodes	Yetman
Creamer	Groat	Martin	Rice	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the concurrent resolutions recalling from the Governor, for the purposes of amendment, the following entitled Assembly bills, with a message that they have concurred in the passage of the same:

"An act to provide for the sale of the academy part of the academy and town hall of the town of Almond, in the county of Allegany." (No. 900.)

"An act to create a commission to pave certain streets in the village of West Troy." (No. 696.)

"An act to amend section 4 of chapter 368 of the Laws of 1884, entitled 'An act to regulate the manner of contracting, auditing and paying certain charges against the county of Albany.'" (No. 242.)

Ordered, That the Clerk deliver said resolutions to the Governor.

A message from the Senate was received and read in the words following:

IN SENATE, *April 10, 1889.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill No. 117, entitled "An act to incorporate the Monticello and Fallsburgh Turnpike Road Company." (Rec. No. 32.)

The vote upon the final passage of the said bill having been reconsidered,

On motion of Mr. Linson, and by unanimous consent, the same was amended as follows:

Strike out the present title and make the title read "An act in relation to the Monticello and Fallsburgh Turnpike Road Company."

Strike out sections 1, 2, 3, 4, 5, 7 and 8, and make section 6 read "§ 1," and amend section 6, hereby made section 1, by striking out the first three words thereof, "the said corporation," and inserting in place thereof the words "The Monticello and Fallsburgh Turnpike Road Company."

Strike out the word "said" in the second line of the same section, before the word "road," and insert in place thereof the word "its."

Make sections 9 and 10 read "§ 2" and "§ 3" respectively.

And as amended, passed, reëngrossed and ordered sent to the Assembly for concurrence.

By order.

JOHN S. KENYON, *Clerk.*

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Davidson	Haggerty	McAdam	Ryan
Adams	Decker	Hamilton	McCann	Saunders
Baker, A. B.	Demarest	Harwood	McCarren	Savery
Baker, A. H.	Dinehart	Hitt	McKenzie	Schaaff
Bauer	Dinkelspiel	Hornidge	McLaughlin	Sheehan
Blake	Donaldson	Hughes	Mead	Smith, M. A.
Blanchfield	Dunham	Husted	Mesick	Sullivan
Blumenthal	Dunlap	Kelly	Miller	Tefft
Brownell	Endres	Kent	Moody	Towne
Carson	Fitts	Kimball	Murray	Townsend
Cheney	Flaherty	King	Newschafer	Treadway

Clark, J.	Gibbs	Lane	Nixon	Van Gorder
Comstock	Graham	Larmon	O'Neil	West
Connelly	Greene	Le Roy	Pearsall	Whipple
Coon	Groat	Little	Peck	Yates
Creamer	Guenther	Longley	Rhodes	Yetman
Curtis	Haffner	Martin	Rice	Young
Dante	Hagan	Mase		

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dante	Hamilton	McCarren	Saunders
Adams	Davidson	Hornidge	McKenzie	Savery
Baker, A. B.	Decker	Hughes	McLaughlin	Smith, M. A.
Baker, A. H.	Demarest	Husted	Mesick	Smith, T.
Bauer	Dinkelspiel	Kelly	Miley	Stevens
Blake	Dunlap	Kent	Miller	Sullivan
Blanchfield	Edwards	Kerrigan	Moody	Tefft
Blumenthal	Fitts	Kimball	Mullaney	Towne
Brownell	Flaherty	Lane	Murray	Townsend
Carson	Graham	Larmon	Newschafer	Treadway
Cheney	Greene	Loder	Nixon	Van Gorder
Clark, J.	Groat	Longley	O'Neil	West
Comstock	Guenther	Martin	Pearsall	Whipple
Coon	Haffner	Mase	Peck	Yates
Cottrell	Hagan	McAdam	Rhodes	Yetman
Creamer	Haggerty	McCann	Rice	Young
Curtis				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

Mr. Creamer offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That the committee of arrangements of the Washington Centennial, are respectfully requested to so arrange the line of march of the various processions taking part in the celebration, that it will include on the line "Union Square" and the "Washington" and "Lafayette" statues, located therein.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 139, entitled "An act relative to the repavement of streets and

avenues in the city of New York" (Rec. No. 116), for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 318, entitled "An act to provide for the erection of a State armory in the village of Geneva, and making an appropriation therefor" (Rec. No. 107), for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Guenther offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 514, entitled "An act to authorize the treasurer of the city of Buffalo to return to the comptroller before May 1, 1889, the consolidated school and district school fund rolls of 1888, received before March 1, 1889, without publication or interest, or making a transcript thereof," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Yates offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor requesting the return to the Assembly of Assembly bill No. 434, entitled "An act to amend chapter 385 of the Laws of 1862, entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady, as amended by chapter 255 of the Laws of 1886.'"

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate sent for concurrence the following entitled bill:

"An act to authorize the Richfield Springs Electric Light and Power Company to complete and perfect its organization, and to legalize and confirm its issue of bonds and other acts done by it, and to declare said company a corporation" (Rec. No. 273), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to

the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Creamer	Greene	Le Roy	Rice
Adams	Crosby	Guenther	Loder	Roesch
Baker, A. B.	Curtis	Haffner	Mase	Ryan
Baker, A. H.	Dante	Hagan	McAdam	Saunders
Bauer	Davidson	Haggerty	McCann	Schaaff
Blanchfield	Decker	Hamilton	McCarren	Smith, M. A.
Blumenthal	Demarest	Hayes	McKenzie	Stevens
Brownell	Dinkelspiel	Hitt	McLaughlin	Sullivan
Carson	Donaldson	Hughes	Mesick	Tefft
Cheney	Duffy	Husted	Miley	Towne
Clark, J.	Dunham	Kelly	Moffitt	Townsend
Clarke, C. C.	Dunlap	Kent	Moody	Treadway
Comstock	Fitts	Kerrigan	Murray	Van Gorder
Connelly	Flaherty	King	Newschafer	West
Coon	Gibbs	Lane	Pearsall	Whipple
Cottrell	Graham	Larmon	Rhodes	Yetman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Peck, from the subcommittee of the whole, presented a report in writing; which was laid upon the table and ordered printed.

(See Doc. No. 94.)

Mr. Speaker presented two memorials of the Association of the Bar of the City of New York relative to the following entitled bills now pending before the Legislature:

"An act to fix the duration of the term of office of the surrogate in the city and county of New York." (Int. No. 179.)

"An act to fix the compensation of the surrogate in the city and county of New York." (No. 119.)

Said memorials were referred to the committee on the judiciary.

Leave of absence was granted to Mr. Saxton till Monday evening next.

The bill (No. 1040) entitled "An act to amend chapter 382 of the Laws of 1857, entitled 'An act in relation to the schools and academies in the village of Ogdensburg, St. Lawrence county,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dante	Haffner	Loder	Rhodes
Adams	Davidson	Hagan	Longley	Rice
Baker, A. B.	Decker	Haggerty	McAdam	Roesch
Baker, A. H.	Demarest	Hamilton	McCann	Saunders
Bauer	Dinkelspiel	Harwood	McCarren	Smith, M. A.
Blanchfield	Duffy	Hayes	McKenzie	Stevens
Blumenthal	Dunham	Hornidge	McLaughlin	Sullivan
Brownell	Dunlap	Hughes	Mead	Tefft
Carson	Edwards	Husted	Miller	Towne
Cheney	Endres	Kelly	Moody	Townsend
Clark, J.	Fitts	Kent	Mullaney	Treadway
Clarke, C. C.	Gallup	Kerrigan	Murray	Van Gorder
Comstock	Gibbs	King	Newschafer	West
Cottrell	Graham	Lane	Nixon	Whipple
Creamer	Greene	Larmon	Pearsall	Yetman
Crosby	Groat	Le Roy	Peck	Young
Curtis	Guenther			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1097) entitled "An act to amend chapter 511 of the Laws of 1868, entitled 'An act to amend an act entitled 'An act in relation to the public schools in the village of Watertown,' passed April 21, 1865," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Guenther	Martin	Rhodes
Adams	Curtis	Haffner	McAdam	Rice
Baker, A. B.	Davidson	Hagan	McCann	Roesch
Baker, A. H.	Decker	Haggerty	McCarren	Ryan
Bauer	Demarest	Hamilton	McKenzie	Saunders
Blanchfield	Dinkelspiel	Harwood	McLaughlin	Savery
Blumenthal	Duffy	Hayes	Mead	Smith, M. A.
Brownell	Dunham	Husted	Mesick	Sullivan
Carson	Dunlap	Kelly	Miley	Tefft
Cheney	Edwards	Kent	Miller	Towne
Clark, J.	Endres	Kimball	Moody	Townsend
Clarke, C. C.	Fitts	Lane	Murray	Treadway
Comstock	Flaherty	Larmon	Nixon	Van Gorder
Connelly	Gallup	Le Roy	O'Neil	West
Coon	Graham	Little	Pearsall	Whipple
Cottrell	Greene	Loder	Peck	Yetman
Creamer	Groat	Longley		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 870) entitled "An act making an appropriation for the purpose of deepening the outlet of Chautauqua lake, from the Jamestown docks to a point three and one-quarter miles therefrom," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Davidson	Guenther	Martin	Rice
Adams	Decker	Haffner	Mase	Roesch
Baker, A. B.	Demarest	Hagan	McAdam	Smith, M. A.
Baker, A. H.	Dinkelspiel	Haggerty	McCann	Stevens
Bauer	Donaldson	Harwood	McCarren	Sullivan
Blanchfield	Duffy	Hughes	McKenzie	Tefft
Blumenthal	Dunlap	Hunting	McLaughlin	Towne
Carson	Edwards	Husted	Mead	Townsend
Cheney	Endres	Kelly	Mesick	Treadway
Clarke, C. C.	Fitts	King	Miley	Van Gorder
Comstock	Flaherty	Lane	Moody	West
Connolly	Gallup	Larmon	Murray	Whipple
Coon	Gibbs	Le Roy	Nixon	Yates
Cottrell	Graham	Little	Pearsall	Young
Creamer	Greene	Loder	Peck	Speaker
Crosby	Groat	Longley	Rhodes	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 668) entitled "An act to regulate the duties of health officers or other officials in the seizure or destruction of milk," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Dante	Guenther	Mase	Ryan
Adams	Davidson	Haffner	McAdam	Saunders
Baker, A. B.	Decker	Hagan	McCann	Savery
Baker, A. H.	Demarest	Haggerty	McKenzie	Schaaff
Bauer	Dinkelspiel	Harwood	McLaughlin	Smith, M. A.
Blanchfield	Donaldson	Hayes	Mead	Tefft
Blumenthal	Duffy	Hughes	Mesick	Towne

Carson	Dunham	Hunting	Moffitt	Townsend
Cheney	Dunlap	Husted	Moody	Treadway
Clark, J.	Edwards	Kelly	Mullaney	Van Gorder
Clarke, C. C.	Endres	Kent	Newschafer	West
Comstock	Fitts	Le Roy	Nixon	Whipple
Connelly	Flaherty	Little	Peck	Yates
Coon	Gibbs	Loder	Rhodes	Yetman
Cottrell	Graham	Longley	Rice	Young.
Curtis	Greene	Martin	Roesch	

For the negative,

Crosby

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 671) entitled "An act to provide for the erection of a new State prison and for the removal of the present State prison from Sing Sing, and making an appropriation therefor," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 2 }

Those who voted in the affirmative, were

Acker	Davidson	Haggerty	McCarren	Saunders
Adams	Decker	Hamilton	McKenzie	Savery
Baker, A. B.	Demarest	Hayes	McLaughlin	Schaaff
Baker, A. H.	Dinkelspiel	Hitt	Mead	Sheehan
Bauer	Donaldson	Hughes	Mesick	Smith, M. A.
Blanchfield	Duffy	Husted	Miley	Stevens
Blumenthal	Dunlap	Kelly	Moody	Sullivan
Brownell	Edwards	Kent	Murray	Tefft
Carson	Endres	Kerrigan	Newschafer	Towne
Clark, J.	Fitts	Kimball	Nixon	Townsend
Clarke, C. C.	Gibbs	Lane	O'Neil	Van Gorder
Connelly	Graham	Little	Pearsall	Walters
Coon	Greene	Longley	Rhodes	West
Cottrell	Guenther	Martin	Rice	Whipple
Creamer	Haffner	McAdam	Roesch	Yates
Curtis	Hagan	McCann	Ryan	Young

Those who voted in the negative, were

Crosby Flaherty

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1099) entitled "An act to amend section 2 of chapter 58, Laws of 1858, entitled 'An act in relation to the Troy water-works,'" was read the third time.

Mr. Speaker, put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Haggerty	McCann	Roesch
Adams	Davidson	Hamilton	McCarren	Ryan
Ainsworth	Decker	Hayes	McKenzie	Saunders
Baker, A. B.	Demarest	Hornidge	McLaughlin	Savery
Baker, A. H.	Dinkelspiel	Hughes	Mead	Schaaff
Bauer	Donaldson	Husted	Mesick	Sheehan
Blanchfield	Duffy	Kelly	Miley	Smith, M. A.
Blumenthal	Dunlap	Kent	Miller	Stevens
Brownell	Edwards	Kerrigan	Moody	Strassburg
Carson	Endres	Kimball	Mullaney	Tefft
Clark, J.	Fitts	Lane	Murray	Towne
Clarke, C. C.	Flaherty	Le Roy	Newschafer	Townsend
Comstock	Graham	Little	Nixon	Van Gorder
Connelly	Greene	Loder	O'Neil	Walters
Coon	Guenther	Longley	Pearsall	West
Cottrell	Haffner	Martin	Rhodes	Whipple
Creamer	Hagan	McAdam	Rice	Young

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 601) entitled "An act to provide for a course of free instruction in art industrial education in the city of New York" (Rec. No. 243), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 31 }
{ NOES 40 }

Those who voted in the affirmative, were

Baker, A. H.	Davidson	Hagan	McCarren	Savery
Bauer	Decker	Haggerty	Miller	Sheehan
Blanchfield	Demarest	Hitt	Mullaney	Smith, M. A.
Brownell	Dinkelspiel	Hornidge	Nixon	Strassburg
Clarke, C. C.	Dunlap	Kerrigan	Rice	Whipple
Cottrell	Gibbs	McAdam	Ryan	Young
Creamer				

Those who voted in the negative, were

Acker	Edwards	Hughes	McKenzie	Roesch
Blumenthal	Endres	Hunting	Mead	Saunders
Carson	Gallup	Kelly	Miley	Schaaff

Cheney	Graham	Kent	Moody	Tefft
Comstock	Guenther	King	O'Neil	Towne
Connelly	Haffner	Longley	Pearsall	Townsend
Crosby	Hamilton	Martin	Peck	Van Gorder
Curtis	Harwood	McCann	Rhodes	Yates

Mr. Gibbs moved to reconsider the vote by which said bill was lost and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 716) entitled "An act to authorize the board of trustees of the village of Peekskill to purchase real estate and erect a building thereon for the use of the fire department of said village, and to issue bonds therefor," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Creamer	Haffner	Martin	Roesch
Adams	Crosby	Hagan	McAdam	Saunders
Ainsworth	Curtis	Haggerty	McCann	Savery
Baker, A. B.	Davidson	Hamilton	McCarren	Schaaff
Baker, A. H.	Demarest	Hayes	McKenzie	Sheehan
Barton	Duffy	Hornidge	McLaughlin	Smith, M. A.
Bauer	Dunham	Hughes	Mead	Stevens
Blanchfield	Edwards	Hunting	Mesick	Tefft
Blumenthal	Endres	Husted	Miller	Towne
Brownell	Fitts	Kelly	Moody	Van Gorder
Carson	Flaherty	Kent	Nixon	West
Cheney	Gallup	Kimball	O'Neil	Whipple
Comstock	Gibbs	King	Pearsall	Yates
Connelly	Graham	Lane	Peck	Yetman
Coon	Greene	Little	Rhodes	Young
Cottrell	Guenther	Longley	Rice	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 842) entitled "An act supplementary to chapter 312 of the Laws of 1877, entitled 'An act in relation to the compensation of the several officers, keepers, guards, matrons and teachers of the Sing Sing, Auburn and Clinton prisons, and the superintendent of the State Lunatic Asylum for Insane Convicts at Auburn, and to fix the rate of interest to be paid on convict deposits,' fixing the compensation of certain officers in the several State prisons and changing the title and increasing the powers of the principal keepers therein," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 74 }
{ NOES 4 }

Those who voted in the affirmative, were

Acker	Davidson	Hagan	McAdam	Roesch
Ainsworth	Decker	Haggerty	McCann	Saunders
Baker, A. B.	Demarest	Hamilton	McCarren	Savery
Blanchfield	Dinkelspiel	Hayes	McKenzie	Smith, M. A.
Blumenthal	Donaldson	Hornidge	McLaughlin	Stevens
Brownell	Duffy	Hughes	Mead	Sullivan
Carson	Dunlap	Hunting	Mesick	Tefft
Cheney	Edwards	Husted	Miley	Towne
Clark, J.	Fitts	Kelly	Miller	Van Gorder
Clarke, C. C.	Gallup	Kent	Moody	Walters
Connelly	Gibbs	Kerrigan	Newschafer	West
Coon	Graham	Kimball	Nixon	Whipple
Cottrell	Greene	Le Roy	O'Neil	Yates
Creamer	Guenther	Little	Rhodes	Young
Curtis	Haffner	Longley	Rice	

Those who voted in the negative, were

Bauer	Crosby	Harwood	King
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 500) entitled "An act authorizing and empowering medical schools to acquire property" (Rec. No. 212), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Creamer	Guenther	Longley	Saunders
Adams	Crosby	Haffner	McAdam	Savery
Ainsworth	Curtis	Hagan	McCann	Schaaff
Baker, A. B.	Davidson	Haggerty	McCarren	Smith, M. A.
Baker, A. H.	Decker	Hamilton	McKenzie	Stevens
Bauer	Demarest	Harwood	Mead	Strassburg
Blanchfield	Dinkelspiel	Hughes	Mesick	Sullivan
Blumenthal	Duffy	Hunting	Miley	Tefft
Brownell	Dunham	Husted	Moody	Townsend
Carson	Dunlap	Kelly	Newschafer	Van Gorder
Cheney	Edwards	Kent	O'Neil	Walters
Clark, J.	Endres	Kerrigan	Pearsall	West

Clarke, C. C.	Fitts	Kimball	Rice	Whipple
Connelly	Gallup	King	Roesch	Yates
Coon	Gibbs	Lane	Ryan	Young.
Cottrell	Graham	Little		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 588), entitled "An act to amend chapter 90 of the Laws of 1884, entitled 'An act regulating the pilotage of the port of New York'" (Rec. No. 229), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Gibbs	Longley	Rhodes
Ainsworth	Creamer	Graham	Martin	Roesch
Baker, A. B.	Crosby	Guenther	McCann	Ryan
Baker, A. H.	Curtis	Haffner	McCarren	Saunders
Bauer	Davidson	Hagan	McKenzie	Savery
Blanchfield	Decker	Haggerty	McLaughlin	Schaaff
Blumenthal	Demarest	Hamilton	Mead	Sheehan
Brownell	Dinkelspiel	Harwood	Mesick	Smith, M. A.
Bush, R. P.	Donaldson	Hughes	Miley	Stevens
Carson	Duffy	Hunting	Miller	Strassburg
Cheney	Dunham	Husted	Moody	Sullivan
Clark, J.	Dunlap	Kelly	Newschafer	Tefft
Clarke, C. C.	Edwards	Kent	Nixon	Walters
Comstock	Endres	Kerrigan	O'Neil	West
Connelly	Fitts	Kimball	Pearsall	Whipple
Coon	Gallup	Little	Peck	Yates

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the following entitled bills:

"An act to amend section 1 of title 3 of chapter 79 of the Laws of 1886, entitled 'An act to amend the charter of the village of Edgewater'" (Rec. No. 274), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Martin, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and committed to the committee on affairs of villages, retaining its place on the order of third reading.

"An act to amend chapter 409 of the Laws of 1882, entitled 'An act to revise the statutes of this State relating to banks, banking and trust companies'" (Rec. No. 275), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, the rules

were suspended and said bill ordered to a third reading and committed to the committee on banks, retaining its place on the order of third reading.

Mr. Speaker presented a memorial from the Chamber of Commerce in relation to Assembly bill No. 948, entitled "An act to incorporate the New York and New Jersey Bridge Company, for the purpose of constructing and maintaining a permanent bridge for passengers and other traffic over the waters between New York city and the State of New Jersey, together with all necessary connections, appurtenances and approaches thereto and stations;" which was laid upon the table.

Mr. Husted, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Laughlin, Int. No. 249, entitled "An act to repeal section 1, of chapter 280 of the Laws of 1870, entitled 'An act to amend an act passed April 13, 1855, entitled An act in relation to the collection of taxes on lands of non-residents, and to provide for the sale of such lands for unpaid taxes,'" reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Whipple, from the committee on insurance, to which was referred the Senate bill introduced by Mr. Fassett, Int. No. 271, entitled "An act to amend chapter 175 of the Laws of 1883, entitled 'An act to provide for the incorporation and regulation of coöperative or assessment life and casualty insurance associations and societies,' as amended by chapter 285 of the Laws of 1887," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Blumenthal offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 674, entitled "An act to amend chapter 697 of the Laws of 1887, entitled 'An act to lay out and establish an exterior street along a portion of the East river in the city of New York, and to alter the map or plan of the city of New York to conform thereto,'" now on the order of third reading, be read the third time on Wednesday morning, April seventeenth, at 12 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Demarest introduced a bill entitled "An act to enable companies or individuals owning street railways in any of the cities or towns of the State of New York having less than one million inhabitants, operated by horse-power traction, to change the same to pneumatic, electric or cable traction" (Int. No. 1187), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Demarest, and by unanimous consent, said bill was ordered printed and committed to the committee on railroads.

On motion of Mr. Blanchfield, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill (No. 260) entitled "An act to alter the commissioners' map of the city of Brooklyn," and the same was ordered to a third reading and referred to the committee on revision.

Mr. McLaughlin offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 308, entitled "An act to amend chapter 420 of the Laws of 1880, entitled 'An act to amend chapter 123 of the Laws of 1874, entitled An act to amend the charter of the Hudson Suspension Bridge and New England Railway Company'" (Rec. No. 112), and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Gibbs offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No 824, entitled "An act to amend chapter 458 of the Laws of 1884, entitled 'An act to provide additional accommodations for the common schools in the city of New York,' as amended and extended by chapter 494 of the Laws of 1885, chapter 456 of the Laws of 1886, and chapter 136 of the Laws of 1888," now on the order of third reading, be read the third time on Wednesday next, after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Tefft (by request) introduced a bill entitled "An act to prevent the importation of armed men or associations of men into this State for the purpose of police duty" (Int. No. 1188), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Acker, from the committee on revision, to which was referred the following entitled bill, reported the same without recommendation:

"An act to further amend chapter 606 of the Laws of 1875, entitled 'An act further to provide for the construction and operation of a steam railway or railways in the counties of the State.'" (No. 1053.)

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Walters introduced a bill entitled "An act to protect fish in the Embogcht bay, on the Hudson river, in the county of Greene" (Int. No. 1189), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Walters, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and printed, and referred to the committee on revision.

The Senate returned the bill entitled "An act to authorize the fixing of salaries of patrolmen acting as roundsmen of police in the city of New York" (No. 573), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the following entitled bills :

"An act to amend section 4 of chapter 700 of the Laws of 1881, entitled 'An act to provide for the liability of towns and commissioners of highways in certain cases.'" (No. 358.)

"An act to amend chapter 175 of the Laws of 1876, entitled 'An act to enable the Owego Steamboat Company to improve the navigation

of the Susquehanna river between the village of Owego, in the county of Tioga, and the city of Binghamton, in the county of Broome." (No. 54.)

"An act to provide for the erection of a State armory in the village of Cortland, county of Cortland, and making an appropriation therefor." (No. 784.)

"An act to amend chapter 291 of the laws of 1870, entitled 'An act for the incorporation of villages,' as amended by chapter 242 of the Laws of 1875, as amended by chapter 281 of the Laws of 1878, and as amended by chapter 236 of the Laws of 1885." (No. 391.)

"An act to authorize the common council of the city of New York to provide for the celebration of the centennial anniversary of the inauguration of George Washington as first president of the United States." (No. 769.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill entitled "An act to amend sections 1141, 1142 and 1143 of the Code of Civil Procedure, relating to the drawing of jurors in Kings county" (No. 843), with a message that that they have concurred in the passage of the same, as amended.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolutions, recalling from the Governor, for the purpose of amendment, the following entitled bills, with a message that they have concurred in the passage of the same:

"An act to authorize the treasurer of the city of Buffalo to return to the comptroller before May 1, 1889, the consolidated school and district school fund rolls of 1888, received before March 1, 1889, without publication or interest, or making a transcript thereof." (No. 514.)

"An act to amend chapter 385 of the Laws of 1862, entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady,' as amended by chapter 255 of the Laws of 1886." (No. 434.)

Ordered, That the Clerk deliver said resolutions to the Governor.

The Senate returned the concurrent resolution relative to the committee of arrangements of the Washington centennial fixing the line of march, with a message that they have concurred in the passage of the same.

Mr. Ainsworth moved that this House do now adjourn until Monday evening next, at 8:15 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, the House adjourned.

MONDAY, APRIL 15, 1889.

The House met pursuant to adjournment.

Prayer by Rev. W. W. Battershall.

On motion of Mr. McKenzie, the journal of Friday, April 12, was approved without being read.

Mr. McKenzie offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 1022, entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages, relative to assessments,'" now on the order of third reading, be read the third time on Wednesday morning.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Mead offered for the consideration of the House a resolution, in the words following :

Resolved, That Assembly bill No. 488, entitled "An act further to amend chapter 395 of the Laws of 1873, entitled 'An act to alter the system of repairing the highways,'" now on the order of third reading, be read the third time on Tuesday, April sixteenth, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. McAdam introduced a bill entitled "An act to amend chapter 25 of the Laws of 1870, entitled 'An act to incorporate the city of Rome,' as amended by section 15, chapter 576 of the Laws of 1875" (Int. No. 1190), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. McAdam, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 76 }
{ NOES 2 }

Those who voted in the affirmative, were

Acker	Dunlap	Kimball	Mesick	Saxton
Ainsworth	Endres	Lane	Miley	Schiaaff
Aspinall	Enz	Larmon	Moody	Sheehan
Baker, A. B.	Fish	Le Roy	Mullaney	Smith, M. A.
Barton	Fitts	Lewis	Murray	Sullivan
Bauer	Graham	Loder	Newschafer	Tefft
Clarke, C. C.	Groat	Longley	Nixon	Townsend
Cronin	Guenther	Martin	O'Neil	Upson
Curtis	Haggerty	Maynard	Pearsall	Walters
Dante	Hamilton	McAdam	Peck	West
Decker	Hughes	McCanp	Rhodes	Whipple
Demarest	Husted	McCarren	Rice	Yates
Dinehart	Kelly	McKenzie	Roesch	Yetman
Dinkelspiel	Kent	McLaughlin	Ryan	Young
Donaldson	Kerrigan	Mead	Savery	Youngman
Dunham				

Those who voted in the negative, were

Gibbs Hornidge

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker presented a communication from the Attorney-General, in response to a resolution of the Assembly adopted April tenth, relative to water taken from Skaneateles lake; which was laid upon the table and ordered printed.

(See Doc. No 95.)

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 12, 1889.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 434, entitled "An act to amend chapter 385 of the Laws of 1862, entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady,' as amended by chapter 255 of the Laws of 1886."

DAVID B. HILL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Donaldson	Husted	Mead	Saxton
Ainsworth	Duffy	Kelly	Mesick	Schaaff
Aspinall	Dunham	Kent	Miley	Sheehan
Baker, A. B.	Endres	Kerrigan	Miller	Sheldon
Barton	Enz	Larmon	Moody	Sullivan
Blanchfield	Fish	Le Roy	Newschafer	Tefft
Clarke, C. C.	Fitts	Lewis	O'Neil	Towne
Comstock	Gibbs	Little	Pearsall	Townsend
Connelly	Graham	Loder	Peck	Walters
Coon	Greene	Longley	Rhodes	West
Cronin	Groat	Maynard	Rice	Whipple
Curtis	Haffner	McAdam	Roesch	Yates
Dante	Haggerty	McCann	Ryan	Yetman
Decker	Hitt	McCarren	Saunders	Young
Dinehart	Hornidge	McKenzie	Savery	Youngman
Dinkelspiel	Hughes	McLaughlin		

The vote upon the final passage of said bill having been reconsidered, On motion of Mr. Yates, and by unanimous consent, the same was amended as follows :

Section 2, line 1, strike out the words "second Tuesday in April" and insert the words "first day of May, 1889."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Demarest	Guenther	Longley	Saunders
Aspinall	Dinehart	Haffner	Maynard	Savery
Baker, A. B.	Dinkelspiel	Haggerty	McCarren	Saxton
Barton	Donaldson	Hamilton	McKenzie	Schaaff
Bauer	Duffy	Hornidge	McLaughlin	Sheldon
Blake	Dunham	Hughes	Mesick	Smith, M. A.
Blanchfield	Dunlap	Kent	Miley	Towne
Cheney	Endres	Kerrigan	Moody	Upson
Clark, C. C.	Enz	Kimball	Murray	Walters
Comstock	Fish	King	Newschafer	West
Connelly	Fitts	Lane	O'Neil	Whipple
Coon	Gallup	Larmon	Pearsall	Yates
Cronin	Gibbs	Le Roy	Peck	Yetman
Curtis	Graham	Lewis	Rice	Young
Dante	Greene	Little	Roesch	Youngman
Decker	Groat	Loder	Ryan	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein, as amended.

On motion of Mr. Sheldon, and by unanimous consent, Assembly bill No. 1035, entitled "An act authorizing the supervisor of the town of Penfield, in the county of Monroe, and the trustees of burying ground No. 1, in said town, to convey certain real estate to the Oak-wood Cemetery Association of Penfield, Monroe county, N. Y., and conferring certain powers on said association," now on the order of third reading, was ordered to be read the third time.

On motion of Mr. Saxton, and by unanimous consent, the bill (No. 810) entitled "An act to legalize, ratify and confirm the vote of a majority of the electors of the village of Clyde, Wayne county, cast at their annual charter election, held March 12, 1889," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dunham	Husted	McLaughlin	Saunders
Ainsworth	Dunlap	Kent	McMaster	Savery
Baker, A. B.	Endres	Kerrigan	Mead	Saxton
Barton	Enz	Kimball	Mesick	Schaaff
Bauer	Fish	Lane	Miley	Sheehan
Blake	Fitts	Larmon	Moody	Sheldon
Cheney	Gibbs	Le Roy	Murray	Sperry
Clarke, C. C.	Graham	Lewis	Newschafer	Sullivan
Comstock	Greene	Little	Nixon	Towne

Coon	Groat	Loder	O'Neil	Townsend
Curtis	Guenther	Longley	Pearsall	West
Dante	Haffner	Mase	Peck	Whipple
Decker	Haggerty	Maynard	Rhodes	Yates
Dinehart	Hamilton	McAdam	Rice	Young
Dinkelspiel	Hitt	McCann	Roesch	Youngman
Donaldson	Hughes	McCarren	Ryan	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

A message from the Governor was received by the Clerk April twelfth, and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 13, 1889. }

To the Assembly:

Assembly bill, not printed, entitled "An act to amend chapter 654 of the Laws of 1869, entitled 'An act authorizing the construction of a railroad through certain streets in the city of Poughkeepsie and through certain streets and roads in the town of Poughkeepsie, in the county of Dutchess,'" is herewith returned without approval.

This bill is both unconstitutional and unnecessary special legislation.

First. The bill is unconstitutional. By the present law, the cars of this street railroad may be drawn by animal power only. This bill proposes to allow such street cars to be drawn by such other power as the common council of the city and the highway commissioners of the town of Poughkeepsie shall approve. The rights of the owners of abutting property and of the fee of the streets, for compensation for the additional damage to their property arising from converting an ordinary horse railroad into a steam railroad, are wholly ignored by this bill. The change authorized by this bill would clearly amount to a taking of private property without compensation, and would be clearly unconstitutional.

The Constitution does not permit the construction of a steam railroad in a street by the indirect method of first obtaining the right to lay tracks for a horse railroad and compensating property owners for damages accordingly, and then obtaining legislative permission to use steam without further compensation for the possibly increased injury.

The argument was urged in favor of my approval of this bill, that the bill met with such universal approval in the Legislature that it was ordered to a third reading in each house without having been read in either house or seriously debated in committee, and that it was passed without being printed. If such statement is correct, it may fairly be presumed that the objectionable features of the bill escaped the attention of the Legislature. A general bill of this nature, it is safe to say, would not have been passed. It would seem desirable that objectionable special bills should be as carefully scrutinized by the Legislature as meritorious general bills.

Second. The bill is unnecessary. A general law, chapter 252 of the Laws of 1884, provides a constitutional method by which a street railroad company may substitute any other than locomotive steam power for animal or horse-power for propelling its cars.

DAVID B. HILL.

On motion of Mr. Sheehan, said bill and the accompany message were laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Also, the following (left with the Clerk April twelfth):

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 13, 1889.

To the Assembly:

Assembly bill No. 447, entitled "An act to amend chapter 418 of the Laws of 1884, entitled 'An act in relation to infectious and contagious diseases of animals,'" is herewith returned without approval.

The act proposed to be amended by this bill authorizes the State to cause to be slaughtered animals affected with or liable by reason of exposure to communicate contagious diseases, and authorizes the owners of animals so slaughtered to recover in proceedings before the Board of Claims the value thereof. This bill proposes a new rule of evidence in proving claims in such proceedings, to wit: That a verified statement by the claimant of certain facts, and that certain certificates shall be presumptive evidence of the truth of their contents. Such verified statement constitutes substantially the claimant's pleading, and the proposed rule of evidence would transfer from the claimant to the State the burden of proving certain facts which the claimant ought to be required to establish by affirmative evidence, subject to cross-examination. This bill is too broad in its provisions. The Attorney-General considers the bill in its present form unwise and unfair to the State.

There would seem to be no good reason why the State should not ordinarily, in actions and proceedings, have the same rights as individuals in like cases, nor while the rules of evidence in actions between an individual and the State should not be the same as in actions between individuals.

DAVID B. HILL.

By unanimous consent, said bill and the accompanying message were laid upon the table.

Also, the following (left with the Clerk April twelfth):

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, April 13, 1889.

To the Assembly:

Assembly bill No. 112, entitled "An act to confirm the title of Edward Thebaud and Emile Thebaud, their heirs or assigns, in and to certain shares of certain real estate which was of Estelle N. Arnaud, deceased, and releasing the right, title and interest of the people of the State of New York therein," is herewith returned without approval.

This is an ordinary special escheat bill. The reasons for my disapproving bills of this nature have been fully set forth in my messages to the Assembly of the present year, disapproving Assembly bills Nos. 1, 245 and 113, and in my message to the Senate of the present year, disapproving Senate bill No. 254.

DAVID B. HILL.

By unanimous consent, said bill and the accompanying message were laid upon the table.

Also, the following :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 15, 1889.

To the Assembly :

Assembly bill No. 501, entitled "An act to amend chapter 393 of the Laws of 1886, entitled 'An act to revise and amend an act entitled An act to incorporate the Young Men's Association of the city of Buffalo, passed March 3, 1837,' and the acts amendatory thereof and supplementary thereto, and to change the name of said corporation," is herewith returned without approval.

This bill proposes two changes in the charter of this corporation.

First. That no person shall be elected a member of said corporation intermediate a caucus election of officers.

This provision is undoubtedly in the interest of purity of corporate elections. But this corporation is, by its charter, given absolute power, to declare, through its by-laws, who shall be members thereof, and how they shall be elected. The corporation is practically asking the Legislature to amend its by-laws in respect to a matter over which the Legislature has already given the corporation full power, and which properly belongs in its by-laws and not in its charter. A special act of the Legislature would add nothing to the effectiveness of such a by-law. The principle of home-rule is as applicable to a library corporation as to a city or village. The corporation should not ask the Legislature to do for it what it already has power to do for itself.

Second. It is proposed to exempt devises and bequests to this corporation from the provisions of chapter 483 of the Laws of 1885, known as "the collateral inheritance tax act."

There may be no objection to exempting all corporations of the same general character as the Buffalo Library from the operations of that act. But it is certainly inequitable to exempt this corporation only, and leave all other public library corporations subject thereto. During the past two years I have had occasion to disapprove special bills exempting from taxation the property of the Masonic Hall Association of Buffalo, of the Methodist Episcopal Hospital of Brooklyn, of the Bedford Reformed Dutch Church, of the Young Women's Association of Troy, of the Gallaudet Home, of the Catholic Union of Albany, and of the S. R. Smith Infirmary. (See Public Papers of the Executive for 1888, p. 157.) Many other bills of like nature have been recalled by the Legislature from the Executive Chamber for the purpose of striking out such objectionable provision.

The frequency and readiness with which such special bills are passed by the Legislature indicates the desirability of a general law which shall operate uniformly and equitably upon all institutions equally entitled to exemption. Such a general bill has been introduced and has now for some time been pending in the present Legislature. If the language of that bill is not satisfactory, it can be amended so as to express the judgment of the Legislature. It certainly seems strange that the Legislature should be so ready to pass a special bill for the exemption of each institution which asks singly

for exemption, and should be so reluctant to pass a general bill which would put an end to the constant demand for such inequitable special legislation.

DAVID B. HILL.

By unanimous consent, said bill and the accompanying message were laid upon the table.

Also, the following :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 13, 1889.

To the Assembly :

Assembly bill No. 113, entitled "An act to release certain lands which have escheated to the State to Johann Heinrich Straack, Anna Margaretha Schmidt and Elizabeth Mueller, children of Gottfried Straack, late of the city of Buffalo, and to enable said children to convey the same," is herewith returned without approval.

As indicated by the title, this is an ordinary special escheat bill.

Upon the first day of the present month I returned to the Assembly, without my approval, two similar bills, Assembly bills Nos. 1 and 245, and on the same day I returned to the Senate, without my approval, a similar bill, Senate bill No. 454, stating to each House briefly my reasons for such disapproval in each case.

Since that date two more special escheat bills have been passed by the Legislature and presented to me for approval. This action indicates a disagreement between the Legislative and Executive departments as to the wisdom of continuing the custom of enacting a special escheat law for each individual case, instead of enacting a general law which shall, once for all, provide for all cases of like nature.

Such difference of opinion justly demands a candid reconsideration of my former position, and a fuller statement of the reasons for my final conclusion.

It will be noted, first, that the difference arises not over the general policy of releasing the interest of the State in escheated lands to persons equitably entitled thereto. If there were any doubt as to the wisdom of such general policy, it might well be urged that it should be left to the Legislature to interfere only in special and exceptional cases. But the general policy has been long established. The practice of the Legislature has been uniform to release escheated lands to claimants in all cases in which an equitable claim has been made to appear. The passage of an escheat bill long since ceased to be a question of general policy, and now involves merely an investigation into the equities of the claimants in each particular case. Such an investigation is essentially judicial in its nature, not legislative. With all due respect to the Legislature, that body is, by the very nature of its organization, unfitted to conduct such an investigation. The Legislature is organized to declare, and not apply the law. After having declared the general policy of the State, neither the Legislature nor the Executive should be burdened with the additional labor of examining the case of each applicant. Experience has thoroughly demonstrated the soundness of this reasoning. I have frequently had occasion to call the attention of the Legislature to bills passed under

the guise of releasing escheat lands which, in reality, gave away lands purchased by the State for valuable consideration.

A general bill has been introduced, and is now pending in the present Legislature, conferring upon the Commissioners of the Land Office the power to relase escheated lands in proper cases. The Commissioners of the Land Office are created by the Constitution; they are responsible and trusted officials, namely, the Lieutenant-Governor, Speaker of the Assembly, Secretary of State, Comptroller, Treasurer, Attorney-General and State Engineer and Surveyor. They are intrusted by the Constitution with much more important powers than releasing escheated lands, but powers of a like general nature. They can meet with much less inconvenience and public expense than the Legislature, and need not be hurried in their investigation, as the Legislature must be. This board, by its very constitution, with the head of the law department of the State as one of its members, is fitted, as the Legislature, by its very constitution, is unfitted, to duly investigate the equities of the claimants and the rights of the State in each case.

But, if the Legislature cannot safely trust this constitutional board with the power of releasing escheated lands, certainly some body can be selected by the Legislature upon whom such power can safely be conferred.

The proposition that some general law should be enacted for such purpose is wholly devoid of political partisanship. I can not believe that the reluctance of the Legislature to enact general laws of this nature, each of which will remove the necessity for a great mass of special bills, arises from the fear of any member that he will lose an opportunity to confer special favors upon individual constituents, or from a fear that the work of the Legislature will be lessened, and the time of its sessions shortened. It is true that special cases and special laws first develop the necessity and indicate the substance of general laws. But after such necessity is once developed, a general law dispenses with the necessity of legislation for special cases. Formerly the names of individuals were changed by special laws, corporations of all kinds were created by special laws, villages were incorporated only by special laws. More lately the names of corporations were changed, village fire companies and hospitals were incorporated only by special laws. All that is now changed by the enactment of general laws covering such cases, and the Legislature is no longer called upon to consider special bills for the incorporation of trust companies, for changing the names of ordinary corporations, or incorporating hospitals, for organizing village fire companies, for enabling villages to raise money by special elections for proper village purposes.

The constant demand for legislation for special cases crowds the attention of the Legislature off from the careful and deliberate consideration of important general measures, and is the inevitable cause of the passage too frequently of ill-digested and defective bills, and the delay and neglect in passing carefully prepared and much-needed general bills. The reduction of such over-legislation for special cases is a reform which is the primal condition of all other reforms by State legislation.

A firm and consistent exercise of the veto power by the executive in disapproving special bills in such cases has led to the enactment of a commendable number of wise general laws during the past few years, greatly to the promotion of public convenience and the reduction of the labor of the Legislature. Such experience confirms my belief that an adherence to my determination to disapprove all special escheat bills which shall be presented to me hereafter, will work similar good results.

DAVID B. HILL.

On motion of Mr. Endres, said bill and the accompanying message were laid upon the table.

Also, the following :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 15, 1889.

To the Assembly :

Assembly bill No. 445, entitled "An act authorizing the board of supervisors of the county of Niagara to appoint a board of equalization of taxes for said county, and prescribing the duties of such board of equalization of taxes," is herewith returned without approval.

The objection to this bill is that it applies to only one county. If the system proposed is desirable for Niagara county it is equally desirable for other counties similarly situated. If each county is to proceed by separate enactment in instituting such system, the Legislature will be kept busy passing special bills with innumerable variations, and special amendments to each, as has been the case with the special county laws for sales of land for unpaid taxes.

DAVID B. HILL.

On motion of Mr. Little, said bill and the accompanying message were laid upon the table.

Also, the following :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 15, 1889.

To the Assembly :

Assembly bill No. 23, entitled "An act to incorporate the Grand Lodge of the Order of Sons of Liberty of the State of New York," is herewith returned without approval.

So far as can be ascertained from the face of this bill, it is unnecessary special legislation. The general laws of this State provide for the incorporation of societies for almost every conceivable purpose, literary, scientific, educational, benevolent, social, recreative, political, and for the purposes of mutual benefit insurance, and many others. This bill does not indicate under which of these various classes the corporation to be created thereby would come, but it is safe to say that its purpose would be one of those specified, and, if so, it should be incorporated under the proper general law.

DAVID B. HILL.

By unanimous consent, said bill and the accompanying message were laid upon the table.

The Senate returned the bill entitled "An act making appropriations for the support of government," with a message that they have concurred in the passage of the same, with the following amendments:

(Reference to the engrossed bill.)

Page 1, line 13, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 16, strike out the words "executive department" and insert the same words between lines 16 and 17.

Page 2, line 2, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 6, after the word "for," first occurring, insert the word "the."

Same page, line 10, after the word "dollars" insert the words "and for office expenses one thousand dollars."

Same page, line 30, after the word "dollars" insert the words "payable at the same amounts as provided by law for the associate judges of the court of appeals."

Same page, line 36, after the word "dollars" insert the words "payable at the same amounts as provided by law for the crier and attendants of the court of appeals."

Page 3, line 3, strike out the word "sixty-nine" and insert the word "seventy-two," and after the word "thousand" strike out the word "nine" and insert the word "four."

Same page, lines 8 and 9, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, lines 10 and 11, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 13, after the word "said" insert the words "first named."

Same page, lines 13 and 14, strike out the words "two hundred and fifty."

Same page, lines 28 and 29, strike out the words "one thousand eight" and insert the word "eighteen."

Page 4, line 7, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 18, strike out the word "yearly."

Same page, line 20, strike out the words "the annual."

Same page, line 26, after the word "necessary" insert the word "and."

Same page, lines 27 and 28, strike out the words "the total amount of which" and insert the words "but the aggregate of the salaries of such clerical force, stenographer and messenger."

Page 6, line 12, strike out the word "twelve" and insert the word "eleven."

Same page, line 14, strike out the words "fifteen hundred" and insert the words "one thousand."

Same page, line 27, strike out the word "three" and insert the word "four."

Page 7, line 8, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, lines 25 and 26, strike out the words "one thousand eight" and insert the word "eighteen."

Page 8, line 4, after the word "in" insert the word "the."

Same page, line 6, change the word "banking" to "bank."

Same page, line 12, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 13, strike out the words "one thousand eight" and insert the word "eighteen."

Page 9, line 1, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 32, after the word "instructive" insert the words "Regents of the University."

Page 10, lines 8 and 9, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, lines 11 and 12, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 31, strike out the words "postage, expressage."

Same page, line 36, strike out the word "appointed" and insert the word "apportioned."

Page 11, line 1, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 8, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 10, after the word "books" insert the words "and for binding, lettering and marking books."

Same page, line 10, strike out the word "five" and insert the word "seven."

Same page, strike out lines 18 and 19.

Same page, line 21, strike out the word "cabinet" and insert the word "museum."

Same page, line 21, strike out the words "agricultural museum."

Same page, line 22, strike out the word "cabinet" and insert the word "museum."

Page 11, line 27, after the word "thirty" insert the word "two."

Same page, line 28, strike out the word "ten" and insert the word "twelve."

Same page, line 35, strike out the words "one thousand eight" and insert the word "eighteen."

Page 12, line 1, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 6, strike out the word "experimental" and insert the word "experiment."

Same page, line 13, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 33, strike out the words "one hundred" and insert the word "eighty-five," and after the word "dollars" insert the words "of which amount the sum of ten thousand dollars shall be expended as provided in chapter 298 of the Laws of 1888, in the employment of not exceeding ten expert butter and cheese makers and for the necessary expenses thereof; and."

Same page, line 34, after the word "amount" insert the words "of eighty-five thousand dollars."

Same page, line 35, after the word "dollars" insert a new paragraph as follows:

"Commissioner of the new Capitol. For the commissioner of the new Capitol, for salary, seven thousand five hundred dollars."

Page 13, line 8, change the word "Crosswell's" to the word "Croswell's."

Same page, line 24, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 25, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 26, strike out the word "and," second occurring.

Same page, line 27, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 29, strike out the words "one thousand eight" and insert the word "eighteen."

Page 14, line 9, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 10, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 12, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, lines 13 and 14, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 15, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 16, strike out the word "and," first occurring.

Same page, line 17, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, lines 18 and 19, strike out the words "one thousand eight" and insert the word "eighteen."

Page 15, line 13, strike out the words "residing in the United States."

Same page, lines 22 and 23, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 24, strike out the words "one thousand eight" and insert the word "eighteen."

Page 16, line 4, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 36, strike out the words "to be used as a contingent fund."

Page 17, line 4, strike out the word "commission" and insert the word "commissioners."

Same page, line 8, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 10, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 11, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 13, strike out the words "one thousand eight" and insert the word "eighteen;" strike out the word "and," second occurring.

Same page, lines 14 and 15, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 16, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 18, strike out the word "commission" and insert the word "commissioners."

Same page, line 20, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 26, strike out the word "one thousand eight" and insert the word "eighteen."

Page 18, line 28, strike out the word "seventy" and insert the words "one hundred."

Page 18, lines 30 and 31, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 36, strike out the words "one thousand eight" and insert the word "eighteen."

Page 20, line 20, strike out the words "and twenty."

Same page, line 25, strike out the word "five."

Page 21, after line 23, insert a new paragraph as follows:

"House of Refuge for Women, at Hudson. For compensation of officers and employes, for maintenance of the institution, and for transportation of convicts, sixty thousand dollars."

Page 22, line 4, after the word "thousand" insert the words "five hundred."

Same page, lines 6 and 7, strike out the paragraph which reads as follows:

"For stenographer to the State Commissioner of Lunacy, one thousand dollars."

Same page, line 31, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, lines 32 and 33, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 33, strike out the word "and," second occurring.

Same page, line 34, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, lines 35 and 36, strike out the words "one thousand eight" and insert the word "eighteen."

Page 23, line 5, strike out the words "one thousand eight" and insert the words "eighteen."

Same page, lines 9 and 10, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 13, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 13, strike out the word "and," second occurring.

Same page, line 14, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 16, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 18, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 22, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 25, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, lines 35 and 36, strike out the words "one thousand eight" and insert the word "eighteen."

Page 24, line 5, strike out the word "eighteen" and insert the word "nineteen."

Same page, line 7, strike out the word "eighteen" and insert the word "twenty."

Same page, line 9, strike out the words "eighteen thousand five hundred" and insert the words "twenty thousand."

Same page, line 15, strike out the word "seventeen" and insert the word "eighteen."

Same page, line 21, strike out the words "nineteen thousand five hundred" and insert the words "twenty-one thousand."

Page 24, line 25, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 29, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 36, before the word "school" insert the word "common."

Same page, line 36, strike out the word "Capitol" and insert the same between line 36 on page 24 and line 1 on page 25.

Page 25, lines 2 and 3, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 3, strike out the word "fifty," first occurring," and insert the word "forty."

Same page, line 17, strike out the word "Capitol" and insert the same between lines 17 and 18.

Same page, line 29, strike out the words "one thousand eight" and insert the word "eighteen."

Page 26, line 1, strike out the word "revenue" and insert the same between lines 1 and 2.

Same page, line 3, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 6, strike out the word "revenue" and insert the same between lines 6 and 7.

Same page, line 7, strike out the word "statistics" and insert the word "records."

Mr. Ainsworth moved to non-concur in the amendments of the Senate, that a committee of conference be appointed on the part of the House, and request the appointment of a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. Ainsworth, Stevens, Moffit, Greene and Martin.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have non-concurred in their amendments, and have appointed a committee of conference thereon, and request the appointment of a like committee on the part of the Senate.

A communication from the Governor, was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 12, 1889. }

To the Assembly :

Pursuant to concurrent resolution of the Senate and Assembly herewith is returned for amendment Assembly bill No. 696, entitled "An act to create a commission to pave certain streets in the village of West Troy."

DAVID B. HILL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Hitt	Mead	Saxton
Ainsworth	Dinehart	Hornidge	Miley	Schaaff
Baker, A. B.	Dinkelspiel	Hughes	Miller	Sheldon
Baker, A. H.	Donaldson	Kelly	Moody	Sperry
Barton	Duffy	Lane	Newschafer	Sullivan
Bauer	Dunham	Larmon	Nixon	Tefft
Blake	Dunlap	Le Roy	O'Neil	Upton
Blanchfield	Endres	Lewis	Pearsall	Van Gorder
Cheney	Enz	Little	Peck	Walters
Clarke, C. C.	Fitts	Loder	Rhodes	West
Comstock	Graham	Martin	Rice	Whipple
Coon	Groat	Maynard	Roesch	Yates
Cronin	Guenther	McCann	Ryan	Yetman
Crosby	Haffner	McCarren	Saunders	Young
Curtis	Hamilton	McKenzie	Savery	Youngman
Dante	Hayes	McLaughlin		

The vote upon the final passage of said bill having been reconsidered, On motion of Mr. Le Roy and by unanimous consent, the same was amended as follows:

Amend section 1 so as to read as follows:

"SECTION 1. A commission, to be known as the paving commission of the village of West Troy, shall be chosen in manner following, viz.: Within ten days after the passage of this act the board of trustees of said village shall call a meeting of the taxable inhabitants of said village, to be held at Corporation hall therein, within twenty days thereafter, public notice of which shall be given as is required by law for annual tax meetings in said village, and said notice shall specify the place, day, hour and purpose of such meeting. Said meeting shall be called for the hour of ten o'clock in the forenoon. Upon the organization of said meeting three inspectors of election shall be appointed by said taxable inhabitants from their number. Five persons shall then be elected by ballot to constitute said paving commission. The polls of said election shall be opened immediately after the choosing of the inspectors to hold said election, and shall remain open

until three o'clock in the afternoon of said day. Each taxable inhabitant of said village qualified to vote at annual tax-meetings thereof shall be entitled to vote for five persons as members of said paving commission, and the five receiving the greatest number of votes at such election shall be declared elected, and shall constitute said paving commission. In case of failure to elect as many as five members of such commission, by reason of a tie vote between any of the persons voted for, the inspectors shall determine by lot which of the persons receiving an equal number of votes shall be elected. A certificate in writing of the result of said election shall be signed by the officers and inspectors of such election, and within twenty-four hours thereafter filed with the clerk of said village. In case of a vacancy in said commission, caused by the death, resignation or removal from the village of any member thereof, the vacancy shall be filled by the choice of a majority of the remaining members of said commission. No person shall be eligible as a member of said commission who is not a resident taxpayer whose name appears on the assessment-rolls of said village as assessed for at least \$1,000, nor shall any one be so eligible who holds any other village office.

Section 2, line 2, strike out the word "thirty" and insert the word "ten;" also, strike out the words "the passage of this act" and insert the words "their election."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Haffner	McKenzie	Savery
Ainsworth	Dante	Hamilton	McLaughlin	Saxton
Aspinall	Decker	Hitt	McMaster	Schaaff
Baker, A. B.	Demarest	Hughes	Mead	Sheldon
Baker, A. H.	Dinehart	Kelly	Mesick	Sullivan
Barton	Donaldson	Kent	Moody	Tefft
Bauer	Duffy	Kerrigan	Murray	Upson
Blake	Dunham	King	Newschafer	Van Gorder
Blanchfield	Dunlap	Lane	O'Neil	Walters
Brown	Endres	Larmon	Pearsall	West
Cheney	Enz	Le Roy	Rhodes	Whipple
Clarke, C. C.	Fish	Lewis	Rice	Yates
Comstock	Fitts	Little	Roesch	Yetman
Connelly	Graham	Loder	Ryan	Young
Coon	Groat	Martin	Saunders	Youngman
Cronin	Guenther	McCann		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 12, 1889. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 242, entitled "An act to amend section 4 of chapter 368 of the Laws of 1884, entitled 'An act to regulate the manner of contracting, auditing and paying certain charges against the county of Albany.'"

DAVID B. HILL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Haffner	Martin	Ryan
Ainsworth	Demarest	Haggerty	Maynard	Saunders
Aspinall	Dinkelspiel	Hamilton	McCann	Savery
Baker, A. B.	Donaldson	Hayes	McKenzie	Saxton
Baker, A. H.	Duffy	Hitt	McLaughlin	Sheehan
Bauer	Dunham	Hughes	McMaster	Sheldon
Blake	Dunlap	Husted	Mead	Sullivan
Blanchfield	Endres	Kelly	Mesick	Tefft
Blumenthal	Enz	Kent	Miley	Towne
Brown	Fish	Kimball	Moody	Townsend
Cheney	Fitts	Lane	Murray	Upton
Clarke, C. C.	Gallup	Larmon	Newschafer	Van Gorder
Comstock	Gibbs	Le Roy	O'Neil	Walters
Connelly	Graham	Lewis	Pearsall	West
Coon	Greene	Little	Rhodes	Yates
Cronin	Groat	Loder	Rice	Yetman
Crosby	Guenther	Longley	Roesch	Youngman
Davidson				

The vote upon the final passage of said bill having been reconsidered On motion of Mr. Hitt, and by unanimous consent, the same, was amended as follows:

After the word "done," in next to the last line of page 1 of engrossed bill, insert the words "he shall forthwith give written notice of such order to."

After the word "taxpayer," in same line, insert the words "who shall have filed objections as aforesaid and such taxpayer."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Hamilton	McKenzie	Saxton
Ainsworth	Dinehart	Hayes	McMaster	Schaaff
Aspinall	Donaldson	Hitt	Mead	Sheehan
Baker, A. B.	Duffy	Hornidge	Mesick	Sheldon
Baker, A. H.	Dunham	Hughes	Miley	Smith, M. A.
Barton	Dunlap	Husted	Moody	Sperry
Bauer	Endres	Kelly	Mullaney	Sullivan
Blake	Enz	Kent	Murray	Tefft
Blanchfield	Fish	Kimball	Newschafer	Towne
Brown	Fitts	Lane	O'Neil	Townsend
Cheney	Gallup	Larmon	Pearsall	Upson
Clarke, C. C.	Gibbs	Le Roy	Peck	Van Gorder
Comstock	Graham	Lewis	Rhodes	Walters
Connelly	Greene	Little	Rice	West
Coon	Groat	Loder	Roesch	Whipple
Cronin	Guenther	Longley	Ryan	Yates
Curtis	Haffner	Maynard	Saunders	Yetman
Davidson	Haggerty	McCann		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message from the Senate were received and read, in the words following:

IN SENATE, *April 10, 1889.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 313) entitled "An act in relation to the salary of the supervisor-at-large of Kings county." (Rec. No. 123.)

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. Worth, and by unanimous consent, the same was amended as follows:

Add at the end of section 1 the words "not exceeding the sum of five thousand dollars."

And as amended passed, reëngrossed, and ordered to be sent to the Assembly for concurrence.

By order.

JOHN S. KENYON, *Clerk.*

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Davidson	Hitt	McKenzie	Savery
Ainsworth	Decker	Hornidge	McMaster	Saxton
Aspinall	Dinehart	Hughes	Mead	Sheehan

Baker, A. B.	Donaldson	Husted	Mesick	Sheldon
Baker, A. H.	Dunham	Kelly	Miley	Smith, M. A.
Barton	Dunlap	Kent	Moody	Sperry
Bauer	Endres	Kimball	Mullaney	Sullivan
Blake	Enz	Lane	Murray	Tefft
Blanchfield	Fitts	Larmon	Newschafer	Towne
Brown	Gibbs	Le Roy	O'Neil	Townsend
Cheney	Graham	Lewis	Pearsall	Upton
Clarke, C. C.	Greene	Little	Peck	Van Gorder
Comstock	Groat	Longley	Rhodes	Walters
Connelly	Guenther	Martin	Rice	West
Coon	Haffner	Maynard	Roesch	Whipple
Cronin	Haggerty	McCann	Ryan	Yates
Crosby	Hamilton	McCarren	Saunders	Youngman
Curtis	Hayes			

The vote upon the final passage of said bill having been reconsidered, Mr. Graham moved to further amend as follows:

Add at end of section 1, as amended, the words "per annum."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Graham, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Hayes	Mead	Saxton
Ainsworth	Curtis	Hitt	Mesick	Schaaff
Aspinall	Davidson	Hornidge	Miley	Sheehan
Baker, A. B.	Decker	Hughes	Moody	Sheldon
Baker, A. H.	Dinehart	Husted	Mullaney	Sperry
Barton	Dunham	Kelly	Murray	Tefft
Bauer	Dunlap	Kent	Newschafer	Towne
Blake	Endres	Le Roy	O'Neil	Townsend
Blanchfield	Fitts	Lewis	Pearsall	Van Gorder
Brown	Graham	Little	Rhodes	Walters
Cheney	Greene	McAdam	Rice	West
Clarke, C. C.	Groat	McCann	Roesch	Whipple
Comstock	Guenther	McCarren	Ryan	Yates
Connelly	Haffner	McKenzie	Saunders	Yetman
Coon	Haggerty	McLaughlin	Savery	Youngman
Cronin	Hamilton	McMaster		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended, with further amendment.

Mr. Crosby gave notice that on some future day he would move to suspend Assembly Rule No. 44, for the purpose of reading out of its order Assembly bill No. 1001, entitled "An act to create a commission

to inquire into the expediency of enlarging the area of the city of New York."

The bill (No. 1035) entitled "An act authorizing the supervisor of the town of Penfield, in the county of Monroe, and the trustees of burying ground No. 1, in said town, to convey certain real estate to the Oakwood Cemetery Association of Penfield, Monroe county, N. Y., and conferring certain powers on said association," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Hayes	McKenzie	Savery
Ainsworth	Davidson	Hitt	McLaughlin	Schaaff
Aspinall	Decker	Hughes	McMaster	Sheehan
Baker, A. B.	Dunham	Husted	Mead	Sheldon
Baker, A. H.	Dunlap	Kelly	Mesick	Smith, M. A.
Barton	Endres	Kent	Miley	Sperry
Bauer	Enz	Larmon	Moody	Tefft
Blake	Fish	Le Roy	Mullaney	Towne
Blanchfield	Fitts	Lewis	O'Neil	Townsend
Brown	Graham	Little	Pearsall	Van Gorder
Cheney	Greene	Loder	Peck	Walters
Clarke, C. C.	Groat	Longley	Rhodes	West
Comstock	Guenther	Martin	Rice	Whipple
Connely	Haffner	McAdam	Roesch	Yates
Coon	Haggerty	McCann	Ryan	Yetman
Cronin	Hamilton	McCarren	Saunders	Young

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Towne introduced a bill entitled "An act to authorize the village of Fredonia to incur indebtedness and issue bonds for the erection of a village hall" (Int. No. 1191), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Towne, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and printed, and when printed to be committed to the committee on the judiciary, retaining its place on the order of third reading.

Also, a bill entitled "An act to authorize the city of Jamestown to remove the remains of deceased persons from what is known as the old cemetery, situated upon West Seventh street, in said city" (Int. No. 1192), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Towne, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and printed, and

when printed to be committed to the committee on the judiciary, retaining its place on the order of third reading.

The Senate bill (No. 583) entitled "An act to prevent deception in sales of vinegar, and charging the New York State Dairy Commissioner with its enforcement" (Rec. No. 266), having been announced for a third reading,

Mr. Newschafer moved to amend by adding after the word "analysis," on page 4, line 28, the words "When any officer authorized by this act to inspect vinegar offered for sale shall, in the discharge of his duties, take samples of vinegar, it shall be his duty to take duplicate samples thereof in the presence of at least one witness, and he shall, in the presence of such witness, seal both of said samples, and shall tender, and if accepted, deliver at the time of such taking one sample to the vendor of said vinegar or to the person having custody of the same, with a statement in writing of the cause of the sample having been taken."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Sullivan moved to strike out section 1.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 74 }
{ NOES 7 }

Those who voted in the affirmative, were

Acker	Dante	Husted	McMaster	Smith, M. A.
Aspinall	Davidson	Kent	Mead	Sperry
Baker, A. B.	Decker	Kimball	Mesick	Sullivan
Baker, A. H.	Donaldson	King	Miley	Tefft
Barton	Duffy	Lane	Miller	Towne
Bauer	Dunlap	Larmon	Moody	Treadway
Brown	Enz	Lewis	Pearsall	Van Gorder
Bush, G. H.	Fish	Little	Peck	Walters
Cheney	Fitts	Loder	Rhodes	West
Comstock	Gallup	Longley	Rice	Whipple
Connelly	Greene	Mase	Ryan	Yates
Coon	Groat	Maynard	Saunders	Yetman
Cronin	Guenther	McAdam	Savery	Young
Crosby	Haggerty	McCann	Saxton	Youngman
Curtis	Hughes	McKenzie	Sheldon	

Those who voted in the negative, were

Blake	Hornidge	Newschafer	Roesch	Schaaff
Blanchfield	Mullaney			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with an amendment.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill entitled "An act to provide for the issue of bonds by the mayor, aidermen and commonalty of the city of New York for expense to be incurred by the department of public parks of said city in laying out a portion of Van Courtlandt park, for the purposes of a military parade, camp and drill ground and rifle range, in pursuance of section 6 of chapter 522 of the Laws of 1884" (Rec. No. 133), for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1050) entitled "An act in relation to railroad corporations" having been announced for a third reading,

On motion of Mr. Rhodes, and by unanimous consent, the same was made a special order for Wednesday morning.

The bill (No. 1102) entitled "An act to authorize the board of contract and apportionment of the city of Albany to assess the expense of certain work and improvements upon the property respectively benefited thereby," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dante	Hornidge	McCann	Savery
Ainsworth	Decker	Hughes	McCarren	Schaaff
Aspinall	Donaldson	Husted	McKenzie	Sheehan
Baker, A. B.	Dunham	Kelly	Mead	Sheldon
Baker, A. H.	Dunlap	Kent	Mesick	Smith, M. A.
Barton	Enz	Kerrigan	Miley	Sperry
Bauer	Fish	Kimball	Moody	Tefft
Blake	Fitts	King	Mullaney	Towne
Blanchfield	Graham	Lane	Murray	Townsend
Brown	Groat	Larmon	O'Neil	Treadway
Bush, G. H.	Guenther	Le Roy	Pearsall	Van Gorder
Cheney	Haffner	Lewis	Peck	Walters
Clarke, C. C.	Haggerty	Little	Rhodes	West
Comstock	Hamilton	Loder	Rice	Whipple
Connolly	Harwood	Longley	Roesch	Yetman
Cronin	Hayes	Martin	Ryan	Young
Crosby	Hitt	McAdam	Saunders	Youngman
Curtis				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1098) entitled "An act to amend chapter 203 of the

Laws of 1888, entitled 'An act to authorize the board of education of the city of Lockport to acquire a site and erect a school building for the use of the union school district within said city, and to authorize the common council of said city of Lockport to issue bonds for the purpose of paying therefor,' was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dante	Haggerty	McCann	Ryan
Ainsworth	Davidson	Hamilton	McCarren	Saunders
Aspinall	Decker	Hitt	McKenzie	Savery
Baker, A. B.	Donaldson	Hughes	McLaughlin	Schaaff
Baker, A. H.	Duffy	Husted	Mead	Sheldon
Barton	Dunham	Kelly	Mesick	Smith, M. A.
Bauer	Dunlap	Kent	Miley	Sperry
Blake	Enz	Kimball	Moody	Tefft
Blanchfield	Fish	King	Murray	Towne
Brown	Fitts	Lane	Newschafer	Townsend
Bush, G. H.	Gibbs	Larmon	O'Neil	Van Gorder
Cheney	Graham	Little	Pearsall	Walters
Clarke, C. C.	Greene	Loder	Peck	West
Comstock	Groat	Longley	Rhodes	Whipple
Connelly	Guenther	Martin	Rice	Yetman
Cronin	Haffner	McAdam	Roesch	Young
Curtis				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 932) entitled "An act for the better protection of skilled labor, and for the registration of labels, marks, names, brands or devices covering the products of such labor of associations or unions of workmen or women," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 2 }

Those who voted in the affirmative, were

Acker	Dante	Haggerty	Maynard	Ryan
Aspinall	Davidson	Hitt	McAdam	Saunders
Baker, A. B.	Decker	Hornidge	McCann	Savery
Baker, A. H.	Donaldson	Hughes	McCarren	Schaaff
Barton	Dunham	Husted	McKenzie	Sheehan
Bauer	Dunlap	Kelly	McMaster	Sheldon

Blake	Endres	Kent	Mesick	Smith, M. A.
Blanchfield	Enz	Kerrigan	Miley	Sperry
Brown	Fish	Kimball	Moody	Tefft
Bush, G. H.	Fitts	King	Murray	Towne
Cheney	Gibbs	Lane	Newschafer	Townsend
Clarke, C. C.	Graham	Lewis	O'Neil	Upson
Comstock	Greene	Little	Pearsall	Walters
Connelly	Groat	Longley	Rhodes	West
Coon	Guenther	Martin	Rice	Whipple
Cronin	Haffner	Mase	Roesch	Yetman
Curtis				

Those who voted in the negative, were

Crosby Mead

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act to amend chapter 463 of the Laws of 1860, entitled 'An act to revise the charter of the city of Oswego,' and the acts amendatory thereof." (Int. No. 1136.)

Ordered, That the Clerk deliver said bill to the Governor.

The privileges of the floor were extended to Hon. J. W. Smith.

Mr. Crosby presented a petition of citizens of New York city against the passage of the following entitled bills:

"An act to amend section 1066 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relative to certain institutions." (No. 894.)

"An act to better equalize representation in the board of school commissioners of the city of New York." (No. 311.)

On motion of Mr. Husted, the House adjourned.

TUESDAY, APRIL 16, 1889.

The House met pursuant to adjournment.

Prayer by Rev. John McC. Holmes.

On motion of Mr. Dinkelspiel, the journal of yesterday was approved without being read.

Mr. Dinkelspiel offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 847, entitled "An act to provide for the payment of the salary of John A. Stemmler, as justice of the district court in the city of New York, for the seventh judicial district," now on the order of third reading, be read the third time on next Thursday morning, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Hamilton, and by unanimous consent, the committee of the whole was discharged from the further consideration of

Senate bill No. 70, entitled "An act to provide for suitable buildings and accommodations for the zoological collection in the Central park, in the city of New York," and the same was ordered to a third reading, and to be read the third time on Thursday morning, immediately after the reading of the journal.

Mr. Moody offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 868, entitled "An act to legalize the action of the town meeting of the town of Phelps, in the county of Ontario, in voting an appropriation for a centennial monument, and to authorize the raising of an additional amount by tax," now on the order of third reading, be read the third time on Thursday, April eighteenth, at 12 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. McCarren introduced a bill entitled "An act to amend section 13 of title 11 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn'" (Int. No. 1193), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. McCarren, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and printed, and when printed to be committed to the committee on affairs of cities, retaining its place on the order of third reading.

On motion of Mr. Roesch, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill (No. 119) entitled "An act to fix the compensation of the surrogate in the city and county of New York," and the same was ordered to a third reading and to be read the third time next Friday morning.

Mr. Kerrigan offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 770, entitled "An act to release to Mary McGarvey Huston, the only child and heir-at-law of William McGarvey, deceased, the interest of the people of the State of New York in the personal property of which William McGarvey and Ellen Nealey McGarvey, or either of them, died possessed," now on the order of third reading, be made a special order for Thursday, April eighteenth, at 12 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Enz introduced a bill entitled "An act to amend section 69, article 7, title 7, of the Consolidated School Act of 1864, as amended" (Int. No. 1194), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Enz, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and printed, and referred to the committee on revision.

Mr. Longley offered for the consideration of the House a resolution, in the words following:

Resolved, That Senate bill No. 496, entitled "An act to provide for

the erection of an armory in the county of Kings, for the Thirteenth regiment, National Guard State of New York, and making an appropriation therefor, and for the acquisition by the county by cession by the city of Brooklyn, and authorizing such cession or by purchase, and making an appropriation therefor, also to provide for the taking of real estate for such site by commission in case the same can not be taken by agreement," now on the order of third reading, be read the third time on Thursday morning of this week, directly after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker called from the table the report of the subcommittee of the whole (Assem. Doc. No. 94), in favor of the passage of the following entitled bills:

Senate, Int. 184, No. 493, "An act to amend chapter 366 of the Laws of 1886, entitled 'An act to amend chapter 506 of the Laws of 1884, entitled An act to authorize Long Island City to create a fund to liquidate annual arrearages.'"

Int. 721, No. 742, "An act to authorize towns to raise money to defray the expense of the proper observance of Memorial or Decoration day."

Int. 891, No. 898, "An act to authorize the Board of Claims to hear, audit and determine the claims of Milton Pelton, Willis Edson, O. A. Howe, George P. Bassett, James A. Francisco, Phelps Knapp, Daniel Miller, Martin Gillett, Asahel Brainard, Jason Gregory, Willard Fuller, James B. Fuller, Jarvis A. Fuller, Nathan H. Fuller, William Baker, Jr., John Sprague, Chester Fuller and Anson B. Fuller, for bounty, under chapter 29 of the Laws of 1865, and the several acts amendatory thereof, and to make an award thereon."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bills ordered to a third reading and referred to the committee on revision.

The bill (No. 805) entitled "An act to amend chapter 58 of the Laws of 1887, entitled 'An act to revise and amend chapter 290 of the Laws of 1835, entitled An act to incorporate the village of Homer, and the several acts which revise and amend the same,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Donaldson	Kent	Mead	Schaaff
Andrus	Dunham	Kerrigan	Mesick	Sheehan
Baker, A. B.	Edwards	Kimball	Miley	Smith, T.
Baker, A. H.	Endres	King	Moody	Stevens
Blanchfield	Euz	Lane	Nixon	Strassburg
Brown	Fish	Larmon	O'Neil	Sullivan

Comstock	Flaherty	Le Roy	Pearsall	Tefft
Connelly	Gallup	Little	Peck	Towne
Cottrell	Graham	Loder	Rhodes	Van Gorder
Cronin	Guenther	Longley	Rice	Walters
Curtis	Haffner	Martin	Roesch	West
Dante	Hagan	McAdam	Ryan	Whipple
Davidson	Haggerty	McCann	Saunders	Yates
Decker	Hitt	McCarren	Savery	Yetman
Dinehart	Hughes	McKenzie	Saxton	Young
Dinkelspiel	Husted	McMaster		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 438) entitled "An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dinehart	Hamilton	McAdam	Roesch
Andrus	Dinkelspiel	Harwood	McCann	Ryan
Aspinall	Donaldson	Hughes	McCarren	Saunders
Blanchfield	Dunham	Husted	McKenzie	Savery
Brown	Dunlap	Kent	McLaughlin	Schaaff
Brownell	Edwards	Kerrigan	McMaster	Sheehan
Cheney	Endres	Kimball	Mead	Smith, T.
Clark, J.	Enz	King	Mesick	Strassburg
Comstock	Fish	Lane	Moody	Tefft
Connelly	Fitts	Le Roy	Murray	Van Gorder
Cottrell	Gallup	Lewis	Nixon	Walters
Cronin	Gibbs	Little	O'Neil	Whipple
Curtis	Graham	Loder	Pearsall	Yates
Dante	Groat	Longley	Peck	Yetman
Decker	Guenther	Martin	Rice	Young
Demarest	Haffner			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 620) entitled "An act to amend an act entitled 'An act to amend chapter 574 of the Laws of 1873, entitled An act to incorporate the Old Guard of the city of New York'" (Rec. No. 267), having been announced for a third reading,

On motion of Mr. Martin, and by unanimous consent, the same was amended as follows:

Section 1, line 13, insert after the word "shall" the words "be entitled on all occasions of parade or ceremony to wear the uniform with insignia appropriate to the highest rank, actual or brevet, held by them, and shall."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Davidson	Haffner	McCann	Ryan
Andrus	Decker	Hagan	McCarren	Saunders
Aspinall	Demarest	Hamilton	McKenzie	Savery
Baker, A. B.	Dinehart	Harwood	McLaughlin	Schaaff
Baker, A. H.	Dinkelspiel	Hughes	McMaster	Smith, M. A.
Blanchfield	Dunham	Husted	Mead	Smith, T.
Brown	Dunlap	Kent	Mesick	Sperry
Brownell	Edwards	Kerrigan	Moody	Stevens
Cheney	Endres	Kimball	Murray	Strassburg
Clark, J.	Fish	Lane	Nixon	Tefft
Comstock	Fitts	Le Roy	O'Neil	Townsend
Connelly	Gallup	Little	Pearsall	Van Gorder
Cottrell	Gibbs	Löder	Peck	West
Cronin	Graham	Longley	Rhodes	Whipple
Curtis	Greene	Martin	Rice	Yetman
Dante	Guenther	Maynard	Roesch	Young

For the negative,

Crosby

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with an amendment.

The Senate bill (Rec. No. 205) entitled "An act supplementary to section 1 of chapter 192 of the Laws of 1888, entitled 'An act to provide for improving the facilities for commerce and the convenience of the public by deepening the harbor and entrance thereto at the foot of Canandaigua lake, in the county of Ontario, and to protect the same by the erection of a suitable pier and breakwater, and to make an appropriation therefor,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Dante	Groat	Loder	Rice
Andrus	Davidson	Guenther	Longley	Roesch
Aspinall	Decker	Haffner	Mase	Saunders
Baker, A. B.	Demarest	Hamilton	McCann	Savery

Baker, A. H.	Dinehart	Harwood	McCarren	Schaaff
Barton	Dinkelspiel	Hornidge	McLaughlin	Sheehan
Blanchfield	Donaldson	Hughes	McMaster	Smith, T.
Brown	Dunhan	Husted	Mead	Sperry
Brownell	Edwards	Kelly	Mesick	Strassburg
Cheney	Endres	Kent	Moody	Townsend
Clark, J.	Fish	Kerrigan	Murray	Van Gorder
Comstock	Fitts	Kimball	Nixon	Walters
Connelly	Flaherty	Lane	O'Neil	West
Cottrell	Gallup	Larmon	Pearsall	Whipple
Cronin	Graham	Le Roy	Peck	Young
Curtis	Greene	Little	Rhodes	

For the negative,

Crosby

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 873) entitled "An act to provide for the erection of an armory in Malone village, in the county of Franklin, and making an appropriation therefor," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Davidson	Hamilton	McAdam	Savery
Aspinall	Decker	Harwood	McCann	Saxton
Baker, A. B.	Demarest	Hornidge	McCarren	Schaaff
Baker, A. H.	Dinehart	Kelly	McLaughlin	Sheehan
Barton	Dinkelspiel	Kent	McMaster	Smith, T.
Bauer	Donaldson	Kerrigan	Mead	Stevens
Blanchfield	Dunham	Kimball	Moody	Strassburg
Brown	Dunlap	Lane	Murray	Tefft
Brownell	Fish	Larmon	Nixon	Van Gorder
Bush, G. H.	Fitts	Le Roy	O'Neil	Walters
Cheney	Flaherty	Little	Pearsall	West
Connelly	Gibbs	Loder	Peck	Whipple
Cottrell	Graham	Longley	Rhodes	Yates
Cronin	Greene	Martin	Rice	Yetman
Crosby	Groat	Mase	Ryan	Young
Dante	Haffner	Maynard		

For the negative,

King

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 488) entitled "An act further to amend chapter 395 of the Laws of 1873, entitled 'An act to alter the system of repairing the highways,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Haffner	Maynard	Saunders
Andrus	Daute	Haggerty	McAdam	Savery
Aspinall	Davidson	Hamilton	McCann	Saxton
Baker, A. B.	Decker	Hornidge	McCarren	Schaaff
Baker, A. H.	Demarest	Hughes	McMaster	Sheehan
Barton	Dinehart	Husted	Mead	Smith, T.
Bauer	Dinkelspiel	Kelly	Moody	Sperry
Blanchfield	Donaldson	Kent	Mullaney	Stevens
Brown	Dunlap	Kerrigan	Murray	Strassburg
Brownell	Edwards	Kimball	Newschafer	Van Gorder
Bush, G. H.	Endres	Lane	Nixon	Walters
Cheney	Enz	Le Roy	Peck	West
Clark, J.	Fish	Little	Rhodes	Whipple
Comstock	Fitts	Loder	Rice	Yates
Cottrell	Gallup	Longley	Roesch	Yetman
Cronin	Greene	Martin	Ryan	Young
Crosby	Guenther	Mase		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 397) entitled "An act to provide for the construction of an iron bridge over the Tonawanda creek and Erie canal connecting Main street in the village of North Tonawanda, in the county of Niagara with Delaware street in the village of Tonawanda, in the county of Erie, and making an appropriation therefor," having been announced for a third reading,

On motion of Mr. Guenther, and by unanimous consent, the same was amended as follows:

Section 1, line 11, strike out the word "thirty" and insert the word "twenty."

Section 3, line 1, after the word "of" strike out the word "thirty" and insert the word "twenty."

Said bill, as amended, was then read the third time.

Mr. Speaker, put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Donaldson	Husted	McMaster	Sheehan
Andrus	Dunham	Kelly	Mead	Sheldon
Baker, A. B.	Dunlap	Kent	Miller	Smith, M. A.

Baker, A. H.	Edwards	Kerrigan	Moffitt	Smith, T.
Barton	Endres	Kimball	Moody	Sperry
Bauer	Enz	Lane	Murray	Stevens
Blanchfield	Fish	Larmon	Newschafer	Strassburg
Brown	Fitts	Little	Nixon	Sullivan
Brownell	Greene	Loder	O'Neil	Tefft
Cheney	Groat	Longley	Peck	Treadway
Cronin	Guenther	Martin	Rhodes	Van Gorder
Crosby	Haffner	Mase	Rice	Walters
Curtis	Haggerty	Maynard	Ryan	West
Dante	Hamilton	McAdam	Saunders	Whipple
Davidson	Harwood	McCann	Savery	Yates
Decker	Hornidge	McCarren	Saxton	Yetman
Demarest	Hughes	McLaughlin	Schaaff	Young
Dinehart				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 849) entitled "An act to amend chapter 525 of the Laws of 1887, entitled 'An act to enable the several cities and towns of the State, which have not already done so, to refund the money expended in furnishing substitutes, or in commutation by the men who were drafted into the military service of the United States and held to service in the several drafts under the conscription act of the United States, entitled An act for enrolling and calling out the national forces, and for other purposes, approved March 3, 1863, and the acts amendatory thereto, while the option of commutation, by the payment of \$300 remained, and for relief of the men who entered the service under said drafts," having been announced for a third reading,

Mr. Acker moved to amend as follows:

Section 9, line 2, after the word "therefrom" insert the words "and the widow and children of any deceased person who enlisted and served in the army and navy of the United States."

Mr. Gallup moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Sheehan moved to reconsider the vote by which the previous question was ordered.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Sheehan, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Acker, and it was determined in the affirmative.

Mr. Crosby moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 57 }
{ NOES 34 }

Those who voted in the affirmative, were

Baker, A. H.	Donaldson	Hornidge	McKenzie	Saunders
Barton	Duffy	Kelly	McLaughlin	Savery
Brown	Dunham	Kerrigan	Mesick	Sheldon
Brownell	Dunlap	Lane	Miller	Smith, M. A.
Bush, G. H.	Fitts	Larmon	Moffit	Stevens
Cheney	Gallup	Le Roy	Mullaney	Sullivan
Comstock	Graham	Lewis	Nixon	Treadway
Connelly	Greene	Little	O'Neil	Walters
Curtis	Guenther	Longley	Peck	Yates
Dante	Haggerty	McAdam	Rice	Young
Davidson	Harwood	McCann	Ryan	Speaker
Dinehart	Hitt			

Those who voted in the negative, were

Acker	Crosby	Haffner	Mase	Sperry
Andrus	Dinkelspiel	Hagan	McCarren	Strassburg
Baker, A. B.	Edwards	Hamilton	McMaster	Tefft
Bauer	Endres	Husted	Mead	Van Gorder
Blanchfield	Enz	Kent	Pearsall	Whipple
Clark, J.	Fish	King	Roesch	Yetman
Cottrell	Gibbs	Martin	Schaaff	

Mr. Longley moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 299) entitled "An act to amend chapter 28 of the Laws of 1883, entitled 'An act to grant to Charles O. Scott certain land under water of Niagara river for docks and commercial purposes,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Demarest	Harwood	McCann	Savery
Andrus	Dinehart	Hitt	McCarren	Schaaff
Baker, A. B.	Dinkelspiel	Hughes	McKenzie	Sheehan
Barton	Duffy	Husted	McLaughlin	Sheldon
Bauer	Dunham	Kelly	McMaster	Smith, M. A.
Blanchfield	Edwards	Kent	Mead	Smith, T.
Brown	Endres	Kerrigan	Mesick	Strassburg
Brownell	Fish	Lane	Moody	Sullivan
Bush, G. H.	Fitts	Larmon	Newschafer	Treadway

Clarke, C. C.	Flaherty	Le Roy	Nixon	Van Gorder
Comstock	Graham	Lewis	O'Neil	Walters
Connelly	Greene	Little	Pearsall	Yates
Crosby	Groat	Longley	Rice	Yetman
Curtis	Guenther	Mase	Roesch	Young
Dante	Hagan	Maynard	Ryan	Youngman
Davidson	Hamilton	McAdam	Saunders	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 300) entitled "An act to amend chapter 27 of the Laws of 1883, entitled 'An act to grant to the heirs of Nathan C. Winslow, deceased, certain land under water of the Niagara river for docks and commercial purposes,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 80 }
 } NOES 00 }

Those who voted in the affirmative, were

Acker	Demarest	Groat	Maynard	Ryan
Andrus	Dinehart	Guenther	McCann	Saunders
Baker, A. B.	Dinkelspiel	Haffner	McKenzie	Savery
Barton	Donaldson	Haggerty	McMaster	Sheehan
Bauer	Duffy	Hitt	Mead	Sheldon
Blanchfield	Dunham	Hughes	Mesick	Smith, M. A.
Brown	Dunlap	Husted	Miller	Sperry
Brownell	Endres	Kerrigan	Moffitt	Strassburg
Bush, G. H.	Enz	King	Moody	Sullivan
Cheney	Fish	Lane	Murray	Treadway
Clark, J.	Fitts	Larmon	Newschafer	Van Gorder
Cottrell	Flaherty	Le Roy	Nixon	Walters
Crosby	Gallup	Lewis	O'Neil	Yates
Curtis	Gibbs	Little	Pearsall	Yetman
Dante	Graham	Loder	Rhodes	Young
Davidson	Greene	Longley	Roesch	Youngman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Savery, and by unanimous consent, Senate bill No. 637, entitled "An act to amend chapter 53 of the Laws of 1879, entitled 'An act to revise the charter of the city of Auburn,' and the several acts amendatory thereof" (Rec. No. 262), now on the order of third reading, was ordered to be read the third time to-morrow morning, immediately after the reading of the journal.

The bill (No. 968) entitled "An act for the protection of fish in the waters of Owasco lake, Cayuga lake, Seneca lake and their outlets, and Seneca river," having been announced for a third reading,

Mr. Fitts moved to amend as follows:

Section 3, strike out the word "immediately" and insert the words "the 1st day of January, 1890."

Amend the title by adding after the words "Seneca river" the words "Clyde river, Canandaigua outlet and Ganargua creek."

Mr. Dunham moved to further amend by striking out "1890" and inserting "1900."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Dunham, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Fitts, and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 69 }
{ NOES 15 }

Those who voted in the affirmative, were

Acker	Crosby	Hamilton	McMaster	Smith, M. A.
Andrus	Curtis	Hughes	Mead	Sperry
Aspinall	Davidson	Husted	Mesick	Stevens
Baker, A. B.	Decker	Kimball	Moffitt	Tefft
Baker, A. H.	Dinehart	King	Moody	Towne
Barton	Dinkelspiel	Lane	Newschafer	Treadway
Blanchfield	Donaldson	Larmon	Nixon	Van Gorder
Brown	Dunlap	Le Roy	Pearsall	Walters
Brownell	Enz	Lewis	Peck	Whipple
Cheney	Fish	Little	Rhodes	Yates
Clark, J.	Fitts	Loder	Saunders	Young
Comstock	Flaherty	Mase	Savery	Youngman
Cottrell	Gallup	Maynard	Saxton	Speaker
Cronin	Groat	McKenzie	Sheldon	

Those who voted in the negative, were

Bush, G. H.	Endres	Guenther	Longley	Schaaff
Duffy	Graham	Haffner	McCann	Sullivan
Dunham	Greene	Kent	Mullaney	Yetman

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent,

Mr. King introduced a bill entitled "An act to amend chapter 276 of the Laws of 1885, entitled 'An act to amend chapter 489 of the Laws of 1879, entitled An act to regulate the issuance of policies and the reinsurance thereof by fire insurance companies transacting business in this State' (Int. No. 1195), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. King, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and printed,

and when printed to be committed to the committee on insurance, retaining its place on the order of third reading.

The bill (No. 498) entitled "An act to authorize the city of Cohoes to provide for the removal of the bodies, monuments and gravestones from the old burial-ground situated on the north side of Columbia street in said city, to provide a suitable place for the reinterment of said bodies, to reinter the same, and to reset the monuments and gravestones, to issue bonds therefor, and to sell and convey the land now used for said burial-ground," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Haffner	McCann	Saunders
Andrus	Dante	Haggerty	McCarren	Savery
Aspinall	Davidson	Hamilton	McKenzie	Schaaff
Baker, A. B.	Decker	Hitt	McLaughlin	Sheldon
Baker, A. H.	Demarest	Hughes	McMaster	Smith, M. A.
Barton	Dinehart	Husted	Mead	Smith, T.
Bauer	Dunham	Kimball	Mesick	Stevens
Blanchfield	Dunlap	Lane	Moody	Strassburg
Brown	Edwards	Larmon	Newschafer	Treadway
Brownell	Endres	Le Roy	Nixon	Van Gorder
Cheney	Fitts	Lewis	O'Neil	Walters
Clark, J.	Flaherty	Little	Pearsall	Whipple
Comstock	Gibbs	Loder	Peck	Yates
Connelly	Greene	Longley	Rhodes	Yetman
Cottrell	Groat	Martin	Roesch	Young
Crosby	Guenther	Maynard	Ryan	Youngman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 400) entitled "An act to amend chapter 399 of the Laws of 1885, entitled 'An act to prevent the pollution of the water of the Susquehanna river within five miles above the water-works of the city of Binghamton, and making an appropriation therefor'" (Rec. No. 159), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	de Peyster	Kelly	McMaster	Saxton
Andrus	Dinehart	Kimball	Mead	Schaaff
Aspinall	Donaldson	King	Mesick	Sheldon

Baker, A. B.	Duffy	Lane	Miller	Smith, M. A.
Baker, A. H.	Dunlap	Larmon	Moffitt	Stevens
Barton	Edwards	Le Roy	Moody	Strassburg
Bauer	Endres	Lewis	Mullaney	Tefft
Blanchfield	Enz	Little	Murray	Towne
Brownell	Fish	Loder	Nixon	Upson
Cheney	Fitts	Longley	O'Neil	Van Gorder
Cottrell	Graham	Martin	Pearsall	Walters
Crosby	Haffner	Maynard	Peck	Whipple
Curtis	Hagan	McAdam	Rhodes	Yates
Dante	Haggerty	McCann	Rice	Yetman
Davidson	Harwood	McCarren	Roesch	Young
Decker	Hitt	McKenzie	Saunders	Youngman
Demarest	Husted			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The bill (No. 989) entitled "An act to provide for the purchase and care of the old Van Rensselaer mansion at East Greenbush," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 4 }

Those who voted in the affirmative, were

Aspinall	Dinkelspiel	Hornidge	McCann	Rice
Baker, A. B.	Duffy	Husted	McCarren	Roesch
Baker, A. H.	Dunham	Kelly	McKenzie	Ryan
Barton	Dunlap	Kerrigan	McLaughlin	Savery
Bauer	Edwards	Kimball	McMaster	Sheldon
Blanchfield	Endres	King	Mead	Smith, M. A.
Brown	Enz	Lane	Miley	Smith, T.
Brownell	Fish	Larmon	Miller	Strassburg
Cheney	Graham	Le Roy	Moffitt	Tefft
Clarke, C. C.	Greene	Lewis	Moody	Van Gorder
Connelly	Guenter	Little	Mullaney	Walters
Crosby	Haffner	Loder	Murray	Whipple
Dante	Hagan	Longley	Newschafer	Yates
Davidson	Haggerty	Martin	Nixon	Yetman
Decker	Harwood	Mase	O'Neil	Young
Demarest	Hitt	Maynard	Rhodes	Youngman
Dinehart				

Those who voted in the negative, were

Acker	Comstock	Mesick	Pearsall
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Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent,

Mr. McMaster introduced a bill entitled "An act to extend the time

for the payment of the capital stock of corporations organized since May 1, 1884, as limited liability companies, under chapter 611, Laws of 1875, entitled 'An act to provide for the organization and regulation of certain business corporations,' and for taking proceedings to pay up or reduce their capital stock" (Int. No. 1196), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. McMaster, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and printed, and when printed to be committed to the committee on general laws, retaining its place on the order of third reading.

Mr. Nixon offered for the consideration of the House a resolution, in the words following:

Resolved, That Senate bill No. 538, entitled "An act to amend section 422 of chapter 676 of the Laws of 1881, entitled 'An act to establish a Penal Code,' relating to position of cars in passengers trains" (Rec. No. 191), now on the order of third reading, be read the third time next Wednesday morning, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Husted offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill, Int. No. 1146, entitled "An act to legalize and confirm the action of the legal voters of the town of Lewisboro, in the county of Westchester, taken at their annual town meeting held March 26, 1889, in voting to raise money by tax to pay for working and repairing the highways and bridges in said town during the year 1888," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. McAdam offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 518, entitled "An act to enable the board of education of union free school district No. 1 of the city of Rome, to raise money for extraordinary or special purpose by giving notice thereof by publication in newspapers of the city, of an election to be held, instead of by serving a personal notice upon the qualified voters of said district," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Crosby offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 1001, entitled "An act to create a

commission to inquire into the expediency of enlarging the area of the city of New York," now on the order of third reading, be read the third time on Thursday, April eighteenth, at 11 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Youngman offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 851, entitled "An act to amend chapter 265 of the Laws of 1887, entitled 'An act to protect primary elections and conventions of political parties, and to punish offenses committed thereat,' and the same be ordered to a third reading, and read Thursday, April eighteenth, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Husted offered for the consideration of the House a resolution, in the words following:

Resolved, That to-morrow morning at 10.30 o'clock the roll of members be called, and that each member be allowed to offer a resolution preferring a request to advancing one bill.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill (No. 524) entitled "An act to confirm and legalize the official acts of the 'Evangelical Lutheran Zion Church of Schenectady,' and the official acts of the persons heretofore acting as trustees of said church, and to make valid certain deeds," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Haggerty	Mase	Rhodes
Aspinall	Demarest	Hamilton	Maynard	Roesch
Baker, A. H.	Dinkelspiel	Harwood	McAdam	Ryan
Barton	Donaldson	Hitt	McCann	Schaaff
Bauer	Dunlap	Husted	McCarren	Sheehan
Blanchfield	Edwards	Kelly	Mesick	Smith, M. A.
Cheney	Endres	Kert	Miley	Smith, T.
Clark, J.	Enz	Kerrigan	Miller	Sperry
Clarke, C. C.	Fitts	Kimball	Moffitt	Sullivan
Comstock	Flaherty	King	Mooday	Tefft
Connelly	Graham	Larmon	Mullaney	Van Gorder
Cottrell	Greene	Le Roy	Murray	Walters
Crosby	Groat	Lewis	Newschafer	Yates

Curtis	Guenther	Little	O'Neil	Young
Dante	Haffner	Loder	Pearsall	Youngman
Davidson	Hagan	Longley		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 536) entitled "An act to amend chapter 598 of the Laws of 1870, entitled 'An act to amend an act to incorporate the city of Troy, passed April 12, 1816, and the several acts amendatory thereof, and also to amend other acts relating to the city of Troy,' and the acts amendatory of said chapter 598, and to consolidate into one act several of the acts amending the charter of the other acts relating to the city of Troy, and to the inferior local courts therein," having been announced for a third reading,

On motion of Mr. O'Neil, and by unanimous consent, the same was amended as follows:

Page 3, lines 13, 14 and 15, strike out the words "also a superintendent of public schools, who shall be appointed by the board of school commissioners."

Page 13, line 76, after the word "thereon" insert the words "except the expenses of advertising incurred by said county treasurer against the particular piece or pieces of property so called for by said chamberlain."

Page 21, lines 15, 16, 17 and 18, strike out the words "It shall be the duty of said board to adopt, promulgate and enforce uniform rules and regulations requiring every owner of property in said city to properly connect the building or vault on his premises with the public sewer, if any, in the street or alley adjoining his premises."

Page 34, lines 3 and 4, strike out the words "and apportionment," which are printed in italics, and on the same page, on lines 12, 13 and 14, strike out the words "such estimate shall be prepared in such detail as to the aggregate sum allowed to each officer and department of the city as the said board of estimate and apportionment shall deem desirable," and on the same page strike out the word "and" at the end of line 16, and the word "apportionment" at the beginning of line 17.

Page 35, strike out the words "and apportionment" on line 9, which are printed in italics.

Page 36, line 32, after the word "manner" insert the words "as in the judgment of the said officer, board or department may be most beneficial," and strike out the rest of the words on said lines 32 and 33.

Page 98, line 2, after the word "stoop" insert the words "or bay window," and insert a period after the word "city" on line 5.

Same page, lines 5, 6 and 7, strike out the words "or to construct any bay window or other extension to any building within ten feet of the surface of any sidewalk, street, highway, alley, avenue or square in said city."

Same page, line 13, after the word "title" insert the words "by adverse possession."

Same page, line 15, after the word "city" insert a period.

Same page, lines 15 and 16, strike out the words "by possession thereof no matter how long continued."

Title 3, add the following section:

"§ 11. The common council may, in the year 1889, and in each year thereafter, appropriate the sum of \$500 to be expended as the common council may direct for the proper observance of Memorial day, May thirtieth, and the common council may also appropriate, in any year, the sum of \$2,500 for the proper observance of the Fourth of July."

Title 7, section 13, line 2, add after the word "newspapers" the words "once a week for six weeks."

Mr. Saunders moved to amend as follows:

Page 3, strike out all after the word "council" in line 13, down to and including the word "commissioners" in line 15.

Page 5, line 24, after the word "magistrate" insert the words "and superintendent of schools."

Page 9, line 71, after the word "city" insert the words "except the school department, the estimate of which is provided in title 10 of this act."

Page 13, line 76, after the word "thereon" insert the words "except the expense incurred by said county treasurer for advertising the particular piece in pieces of property so settled by said chamberlain."

Page 17, line 33, after the word "buildings" insert the words "except school buildings and all other buildings the construction and repair of which is now by law under the supervision of some department of city government."

Section 39, page 34, line 9, strike out the word "including" and insert the word "except," and at the end of line 9 insert the words "the estimate for which is provided for in title 10 of this act."

Section 40, page 35, is amended so as to read as follows:

After this act shall go into effect it shall not be lawful for any officer, board or department of the city of Troy to make or enter into any contract for work, labor or services, or the hiring of employees, except as hereinafter provided, or for the purchase of any supplies, materials or apparatus or the making of repairs which by the terms of such contract involve an expenditure of money or liability therefor, which, after taking into account the expenditures and liabilities already made and incurred, shall be in excess of the amount which has been estimated by and allowed to such officer, board or department for such purposes by the board of estimate of said city, or made by a three-fourths vote of said board or department, as above provided in the annual estimate of the moneys necessary to be raised in said city, and directed by the common council to be raised by a tax for the current fiscal year in which such contract shall be made. But this shall not be held to prohibit the board of school commissioners in said city from entering into contracts with the teachers employed by such board which shall extend to the end of the annual school year commencing on or about September the first thereafter. It shall not be lawful for any officer, board or department of the city of Troy to enter into any contract other than as above provided for, hiring janitors or other employees, except school superintendent, who may be employed as provided by existing laws, which by the terms thereof, is not to be fulfilled and performed within the then current fiscal year of said city. Nor shall

it be lawful for the contracting board of said city to enter into any contract for cleaning the streets, alleys, including gutters or crosswalks, of said city, or for removing therefrom refuse, garbage and ashes, which by its terms is not to be fulfilled and performed within such current fiscal year of said city of Troy. Any contract, verbal or written, made in violation of this section shall be null and void as to the city of Troy, and no money belonging to said city shall be paid thereon. Any officer or any member of any board or department of said city of Troy making or voting for any contract prohibited by this section, or auditing any account or claim thereunder, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by fine or imprisonment, or both, in the discretion of the court before which such conviction shall be had. But except as may be otherwise provided by law when any moneys or revenues are received by any such board or department from any source other than by tax, such moneys or revenues may be used and applied toward the funds so estimated and allowed as aforesaid, in such manner as in the judgment of such board or department may be most beneficial to the city of Troy."

Section 2, page 89, after the word "duty" insert the words "within ten days thereafter."

Page 89, line 11, after the word "writing" insert the words "within ten days thereafter."

Page 90, line 14, after the word "writing" insert the words "within ten days thereafter stating in full his reasons therefor."

Page 90, line 16, after the word "matter" insert the words "except as hereinafter provided. Upon receipt of such communication by such board or department such board or department shall consider the same, and if, notwithstanding such disapproval by the mayor they shall by a resolution by a three-fourths vote determine such building or such substantial rebuilding to be necessary, they shall so decide and transmit a copy of such resolution to the mayor."

Page 90, section 3, line 1, after the word "mayor" insert the words "or determination by three-fourths vote of such board or department."

Change "Title X" to "Title XI," and insert the following for Title X, page 92:

BOARD OF SCHOOL COMMISSIONERS.

SECTION 1. The public schools of the city of Troy shall be under the management and control of twelve school commissioners, who shall be electors and residents of said city, and who together shall constitute a board of school commissioners, and shall hold office as hereinafter provided.

§ 2. At the general election held in the city of Troy on the Tuesday succeeding the first Monday in November, 1889, and at each succeeding general election held in November every year thereafter in said city, there shall be elected four school commissioners. All qualified voters at such election shall be entitled to vote for two persons for the office of school commissioner, each of whom shall be an elector and a resident of the city of Troy. The ballot shall contain, written or printed, the names of the persons voted for, and shall be so folded as to conceal its contents, and shall be indorsed "city." The ballots

on being received by the inspectors shall be deposited by them in the box provided for the reception of said ballots. The election shall be conducted in all other respects in accordance with the provisions of the several existing laws relating to the election of civil officers by the people, so far as the same may be applicable thereto, and any person who may offer to vote at the election of the officers provided to be chosen by this act, may be challenged as to his qualifications as an elector as in other cases, and shall be subject to the like penalties for false swearing and improper voting as are now provided by the laws relating to elections for like officers. The several boards of inspectors of elections after canvassing and estimating the number of votes received by them for each candidate for said office, shall certify the result to the common council of the city, who shall, at the time they take action upon the returns of said inspectors of election relative to the other officers chosen at said election, determine the final result, and the four persons who shall appear from the returns made by said inspectors to have received the greatest number of votes for the office of school commissioner, shall be declared by that body to be duly elected, and shall each hold office for the term of three years, and until their successors are elected and qualified. If, however, upon the examination of said returns, it be found and determined by the common council that no four of the persons voted for for the said office have received the greatest number of votes, by reason of two or more of the candidates receiving an equal number of votes, then it shall be deemed a failure to elect any one of those receiving said equal number of votes, and the said board of school commissioners shall have the power, and it shall be their duty, to elect such persons in the same manner as they are hereinafter empowered to fill vacancies arising in the board from any cause hereinafter mentioned.

§ 3. The members of said board shall hold their annual meeting on the third Wednesday of November, 1889, and annually thereafter, at seven and one-half o'clock on the evening of that day, or as soon thereafter as may be, in such suitable room in the in said city of Troy as shall be provided by the common council, and there organize their body, and the meetings of said board shall be held thereafter in the room so provided by the common council; and it shall be the duty of the said common council to provide the necessary rooms for the transaction of the business of the board of school commissioners of said city. They shall appoint, by ballot, one of their number president, who shall exercise all the powers usually incident to such office; they shall also appoint a suitable person, other than a member of their body, superintendent of schools for the city of Troy, who shall hold his office at the pleasure of the board, and who shall exercise such powers and shall discharge such duties as the board shall at any time direct, and shall be allowed such compensation for his services as the said board may determine at the time of his election. The board shall also, at the same meeting, elect a suitable person as clerk of the board, who shall hold his office at the pleasure of the board, and who shall keep a record of the proceedings of the board, and such record, and all the books, accounts, vouchers and papers of said board shall at all times be subject to the inspection of the common council, and of any committee thereof. The clerk shall also per-

form such other duties as the board may at any time prescribe, and receive such salary as they may determine at the time of his election.

§ 4. Any member of said board of school commissioners may be removed from office for cause by the affirmative vote of at least eight members thereof, provided always that such member shall be served with a copy of the charges preferred against him and notice of trial, not less than twenty days previous to the day fixed for the hearing of the matter, by leaving such copy and notice at his residence in the city, or by sending the same to his address by mail. The accused member, on his appearing before the board for trial, shall have the privilege of being represented by counsel.

§ 5. The said board shall have power to fill all vacancies that may occur in their body, from any cause, by the election of any person eligible to said office. Such election shall be made by ballot, and the person receiving not less than eight votes shall be declared duly elected, and shall hold office during the remainder of the term which he is elected to fill.

§ 6. The said board of school commissioners shall have the control and management of the several public schools of the city of Troy, and shall possess and exercise all the powers now conferred by law upon the present board of education of said city, except as herein provided. The said board of school commissioners shall have power, and it shall be their duty, to fix and determine the different grades of study which shall be taught in the various departments of the several schools under their charge, and to change the same at any time as they shall deem best calculated to advance the interests of the schools, and also to adopt such rules and regulations for the administration and government of the schools, and for the admission of pupils to the various departments therein, as they shall determine, with authority at any time to alter and amend the same as they may deem advisable.

§ 7. The board of school commissioners shall have power to examine all applicants for the appointment by them as teachers in any of the schools under their charge; and no person shall be appointed or employed as a teacher in any of said schools (except in case of emergency, when a teacher may be temporarily employed), unless the board shall, after such examination, consider such person well qualified to discharge the duties of the office, and shall give to such person a certificate to that effect, which certificate shall be signed on behalf of the board by the president and clerk thereof.

§ 8. For the purpose of carrying out the provisions of the last preceding section of this act, the board may appoint a committee from their body at any time, to examine applicants for appointments as teachers, and to re-examine any or all of the teachers in the employ of the board at such time as the board may deem advisable; and the result of such examination shall be reported by the committee to the board for final action, with such recommendation as the committee may deem advisable.

§ 9. The said board shall have power at all times to fix the term for which any teacher shall be appointed, and to determine the text-books which shall be used in the several departments in the public schools, and which shall be uniform, as near as may be, in those of the same grade; to supply the requisite text-books and stationery for

the use of indigent pupils ; to provide the several schools under their charge with the necessary school apparatus, maps, etc., the expenses thereof to be defrayed out of the school moneys of the city ; and generally to possess all the powers, to discharge all the duties, and be subject to all the obligations heretofore conferred and imposed upon the present board of education of the city of Troy, except as herein otherwise provided.

§ 10. Eight members of said board shall be required to constitute a quorum for the transaction of business, and a majority of the members present shall be sufficient to carry any measure or to decide any question before them, except in the filling of vacancies, as specified in the sixth section of this act, and in the selection or change of textbooks, as provided in the tenth section of this act, and in case of any resolution or contract, appropriating or involving the appropriation of money for any purpose, when it shall require in each and all cases, the affirmative vote of at least eight members of the board, and in cases of the election of an officer of the board, and the appointment and dismissal of any teacher or other employé, the granting any license to teach, when it shall require in each such case the affirmative vote of at least seven members thereof.

§ 11. The tuition of the pupils of the several schools under the charge of the board shall be free to all persons between the ages of five and twenty-one years, who are residents of said city and entitled to attend the said schools.

§ 12. The common council of the city of Troy shall have power, and it shall be their duty, to raise by tax, to be levied equally upon all real and personal estate in said city which shall be liable to taxation for the ordinary city taxes, or for the ordinary city or county charges, such sum or sums of money as may be necessary or proper for any or all of the following purposes :

1. To purchase, lease or improve sites for school-houses, provided that the purchase of sites aforesaid shall be agreed upon in joint committee of three from each body named in this act ; and in case of disagreement, the decision shall rest with the common council.

2. To enable the board of school commissioners to build, lease, enlarge, alter, improve and repair school-houses and their out-houses and appurtenances.

3. To purchase, exchange, improve and repair school apparatus, books, furniture and appendages.

4. To procure fuel and defray the contingent expenses of the public schools, and to pay wages of teachers due after the application of the public moneys which may by law be appropriated and provided for that purpose ; provided, nevertheless, that the tax to be levied as aforesaid, and collected by virtue of this act, shall be collected at the same time and in the same manner as other city taxes.

5. And the amount to be raised for teachers' wages and contingent expenses in any one year shall not be less than twice nor more than four times the amount apportioned to said city from the school moneys of the State during the previous year, nor shall the amount to be raised in any one year for purchasing sites and erecting and repairing school-houses exceed ten thousand dollars, unless, in the opinion of the common council, a larger sum should be required to meet

unforeseen contingencies. And the common council of said city are authorized and directed, when necessary to raise by loan, in anticipation of the taxes, the money so to be raised, collected and levied as aforesaid.

§ 13. The said board of school commissioners shall have power, and it shall be their duty,

1. To establish and organize such and so many schools, including the common schools now existing therein, as they shall deem requisite or expedient, and to alter or discontinue the same.

2. To build, lease or contract for the occupation and use of school-houses or rooms, and to improve the same as they shall deem proper.

3. To alter, improve and repair school-houses and appurtenances as they may deem advisable; but no such alteration, improvements or repairs shall be made upon any building, out-houses or appurtenances, unless the same shall be owned by the city of Troy, or duly leased by the said board of school commissioners for the term of not less than three years.

4. To purchase, exchange, improve and repair school apparatus, books for pupils, furniture and appendages, and to defray their ordinary contingent expenses.

5. To have the custody and safe-keeping of the school-houses, out-houses, books and furniture, and to see that the ordinances of the common council in relation thereto be observed.

6. To contract with, license, and employ all teachers in said schools, and to remove them.

7. To pay the wages of such teachers out of the moneys appropriated and provided by law for the support of schools in said city, so far as the same shall be sufficient; and the residue thereof from the moneys authorized to be raised for that purpose by section 13 of this act, by tax upon said city, as therein provided.

8. To defray the necessary contingent expenses of said board, including the annual salaries of the clerk and the superintendent of schools.

9. To have in all respects the superintendence, supervision and management of the public schools in said city, and from time to time to adopt, alter, modify and repeal, as they may deem expedient, rules and regulations for their organization, government and instruction; for the reception of pupils, and their transfer from one school to another, and generally for the promotion of their good order, prosperity and public utility.

10. Whenever, in the opinion of the said board, it may be advisable to sell any of the school-houses, lots or sites, or any of the school property now or hereafter belonging to the city, to report the same to the common council.

11. To prepare and report to the common council such ordinances and regulations as may be necessary or proper for the protection, safe-keeping, care and preservation of school-houses, lots, and sites, and appurtenances, and all the property belonging to the city, connected with or appertaining to the schools, and to suggest proper penalties for the violation of such ordinances and regulations; and annually, on or before the tenth day of January in each year, to determine and certify to the comptroller of the city of Troy the sums in

their opinion necessary or proper to be raised under the twelfth section of this title, specifying the sums required for the year commencing on the first day of March thereafter, for each of the purposes therein mentioned and the reasons therefor. The comptroller shall consider such estimates, and may object to one or more and to each one of the items of the estimates so furnished him, and may reduce the amount thereof while approving of other provisions of said estimate. In each case the comptroller shall append to the estimate so provided by such board a statement of the items to which he objects or which he reduces in amount, and any item so objected to shall not take effect, or, if reduced, shall take effect only to the amount to which it is reduced, unless approved by a three-fourths vote of such board as hereinafter provided. The comptroller shall transmit to such board such estimate, together with a statement of the changes made therein by him, together with his reasons for the disallowance or reduction of any item therein on or before the twentieth day of January in each year, and each item objected to by the comptroller shall be considered separately by said board. If on such reconsideration one or more of such items be approved by a three-fourths vote of all the members of such board, the same shall be a part of the preliminary estimate, notwithstanding the objections made thereto by the comptroller. It shall be the duty of such board to transmit to the comptroller the estimate thus finally made by it on or before the first day of February in each year, and it shall be the duty of the comptroller forthwith to transmit such estimate so made by him or by a three-fourths vote of such board to the common council of the city of Troy.

12. The board of school commissioners shall on or before the first day of August in each year, make an estimate in writing of the amount of expenditure which it shall deem necessary to conduct the business of the school department as herein provided for the fiscal year of said city ending with the close of the last day of February next thereafter, and shall submit such estimate on or before the first day of August in each year to the board of estimate of said city. The board of estimate shall consider the estimate so made by the board of school commissioners and may object to one or more of the items of the estimate so furnished them, and may reduce the amount thereof while approving of other portions of said estimate. In each case said board of estimate shall append to the estimate so provided by the board of school commissioners, a statement of the items to which said board of estimate objects or which it reduces in amount, and any item so objected to shall not take effect, or if reduced shall take effect only to the amount to which it is reduced, unless approved by a three-fourths vote of the board of school commissioners as hereinafter provided. Said board of estimate shall transmit to the board of school commissioners a copy of such statement together with the reasons for the disallowance or reduction of any item therein, on or before the twentieth day of August in each year, and each item objected to by said board of estimate shall be separately considered by the board of school commissioners. If on such reconsideration one or more of such items be approved by a three-fourths vote of all the members of the board of school commissioners the same shall be

a part of the annual estimate, notwithstanding the objections made thereto by said board of estimate. It shall be the duty of the board of school commissioners to transmit to the mayor the estimate thus finally made by it on or before the first day of September in each year, and it shall be the duty of the mayor forthwith to transmit such estimate so adopted by the common council and it shall be the duty of the common council to raise by tax the several sums of money so estimated by said board of estimate, or confirmed by the board of school commissioners by a three-fourths vote as above provided, upon taxable property in said city in each year on or before the fifteenth day of September.

13. Between the first day of October and the first day of November, in each year, to make and transmit to the State Superintendent of Public Instruction a report in writing, bearing date the first of October in the year of its transmission, and stating : *First*, The number of school-houses in said city, and an account and description of all the public schools kept in said city during the next preceding year, and the time they have severally been taught. *Second*, The number of children taught in said schools respectively, and the number of children over the age of five years and under the age of twenty-one years, residing in said city on the thirtieth day of January of that year. *Third*, The whole amount of school moneys received by the Chamberlain of said city during the year ending on said thirtieth day of September, distinguishing the amounts received from the county treasurer, from the city tax, and from any other source. *Fourth*, The manner in which moneys have been expended, and whether any and what part remains unexpended, and for what cause. *Fifth*, The amount of money received for tuition fees from foreign pupils during the year, and the amount paid for teachers' wages in addition to the public moneys, with such other information relating to the public schools of said city as may, from time to time, be required by the State Superintendent of Public Instruction.

§ 14. The title of the school-houses, sites, lots, furniture, books, apparatus and appurtenances, and all other school property in this act mentioned, shall be vested in the city of Troy; and the same, while used or appropriated for school purposes, shall not be levied upon or sold by virtue of any warrant of execution, nor be subject to taxation for any purpose whatever; and the said city, in its corporate capacity, shall be able to take, hold and dispose of any real or personal estate transferred to it by gift, grant, bequest or devise, for the use of the public school of the said city, whether the same shall be transferred in terms to said city, by its proper style or by any other designation, or to any person or persons or body for the use of said schools.

§ 15. The common council of said city may, upon the recommendation of the board of school commissioners, sell any of the school-houses, lots, or sites, or any other school property now or hereafter belonging to said city upon such terms as the said common council may deem reasonable. The proceeds of all such sales shall be paid to the chamberlain of the city, and shall be by the said board of school commissioners again expended in the construction, repairs or

improvements of other school-houses, lots, sites or school furniture, apparatus or appurtenances.

§ 16. The common council of said city shall have the power to pass such ordinance and regulations as the said board of school commissioners may report as necessary and proper for the protection, safe-keeping, care and preservation of the school-houses, lots, sites, appurtenances and appendages, and all necessary property belonging to or connected with the schools in said city, and to impose proper penalties for the violation thereof, subject to the restriction and limitations contained in the existing laws relative to said city, and all such penalties shall be collected in the same manner that the penalties for the violation of the city ordinances are by law collected, and when collected shall be paid to the chamberlain of the said city, and be subject to the order of the board of school commissioners in the same manner as other moneys raised pursuant to the provisions of this act.

§ 17. It shall be the duty of said board of school commissioners, at least fifteen days before the annual general election in said city of Troy, to prepare and report to the common council true and correct statements of the receipts and disbursements of moneys, under and in pursuance of the provisions of this act, during the next preceding year, in which accounts shall be stated under appropriate heads.

1. The moneys raised by the common council under the thirteenth section of this act.

2. The school moneys received by the chamberlain of the city from the county treasurer, distinguishing between the sum received from the state and the sum raised upon the city by the board of supervisors.

3. The moneys received by the common council under the fifteenth section of this act.

4. All other moneys received by the chamberlain subject to the order of the board, specifying the sources.

5. The manner in which such sums of money shall have been expended, specifying the amount under each head of expenditures. And the common council shall, within ten days before the general election, cause the same to be once published in the official newspapers in said city.

§ 18. The chamberlain of the said city of Troy shall receive and hold all moneys required to be raised by virtue of this act, or received by said city for or on account of the public schools, and shall pay out the same on the orders of the said board; he shall keep an account in the books of his office with the said board of school commissioners, and shall keep the funds authorized by this act to be received by him, separate and distinct from any other fund which he is or may by law be authorized to receive. All orders of the said board on the chamberlain for the payment of money shall be made in pursuance of a resolution or resolutions of the said board, shall specify the objects for which the payment is to be made, and shall be signed by the president and clerk of said board, and countersigned by the comptroller of said city of Troy.

§ 19. It shall be the duty of said board, in all their expenditures and contracts, to have reference to the amount of money which shall be subject to their order during the then current year, and not to exceed that amount.

§ 20. The said board shall have power to allow the children of persons not resident within the city to attend any of the schools of said city, under the care and control of said board, upon such terms as the board shall by resolution prescribe.

§ 21. It shall be the duty of each school commissioner to visit all the public schools under the direction of the board, at least once in each year, and the said board shall also provide that each of said schools shall be visited by a committee of three or more members of the board at least twice in each year.

§ 22. It shall be the duty of the board of supervisors of the county of Rensselaer, from and after the passage of this act, as hitherto, to direct that all moneys levied and collected on the inhabitants of the city of Troy for common school purposes, whether the same shall be levied and collected as county taxes or otherwise, shall be paid over by the receiver of taxes for the said city to the chamberlain thereof for the sole use and benefit of the public schools within said city; and it shall be the duty of the board of school commissioners to apply all such moneys to the support of the public schools of said city in conformity to law.

§ 23. No member of said board of school commissioners shall receive any pecuniary compensation for his services as such member; nor shall any member or officer of the board participate in the profits arising from any transaction or contract entered into by the board or any member thereof as such, or be interested therein in any manner whatever. Any person violating any provision of this section shall be deemed guilty of a misdemeanor.

§ 24. No person being at the time either mayor, city attorney or alderman of the city of Troy shall be eligible to the office of school commissioner of this board. And any member of said board accepting either of the offices above named, shall thereupon vacate his office in the board, and the vacancy shall be filled by the said board as already provided.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. O'Neil, and by unanimous consent, said bill was laid aside.

The bill (No. 564) entitled "An act to legalize the official acts of John Tyler, special county judge of Tompkins county, while acting in the place of the surrogate of said county," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dante	Hagan	McAdam	Roesch
Aspinall	Davidson	Hamilton	McCann	Ryan
Baker, A. B.	Decker	Harwood	McCarren	Saunders
Baker, A. H.	Demarest	Hitt	McKenzie	Savery
Barton	Dinehart	Hornidge	Mead	Schaaff

Bauer	Dinkelspiel	Hughes	Mesick	Sheldon
Blake	Duffy	Husted	Miley	Smith, M. A.
Blanchfield	Dunlap	Kent	Miller	Sperry
Brown	Edwards	Kerrigan	Moody	Tefft
Cheney	Endres	Kimball	Mullaney	Upson
Clark, J.	Enz	Lane	Murray	Van Gorder
Clarke, C. C.	Fish	Larmon	Nixon	West
Comstock	Fitts	Le Roy	Pearsall	Whipple
Connelly	Graham	Little	Peck	Yates
Cronin	Groat	Loder	Rhodes	Young
Crosby	Guenther	Longley	Rice	Youngman
Curtis	Haffner	Martin		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 337) entitled "An act to ratify and confirm a resolution passed by the electors of the town of Ellenburgh, county of Clinton, authorizing the supervisor and justices of said town to purchase a site and build a town-house in election district No. 2 of said town," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dante	Haffner	Longley	Saunders
Aspinall	Davidson	Hagan	Maynard	Savery
Baker, A. B.	Decker	Haggerty	McAdam	Schaaff
Baker, A. H.	Demarest	Hamilton	McCann	Sheehan
Barton	de Peyster	Harwood	McCarren	Sheldon
Bauer	Dinehart	Hitt	McKenzie	Smith, M. A.
Blake	Dinkelspiel	Hornidge	Mead	Smith, T.
Blanchfield	Dunlap	Hughes	Miley	Sperry
Brownell	Edwards	Kelly	Moody	Tefft
Cheney	Endres	Kent	Murray	Towne
Clark, J.	Enz	Kerrigan	Newschafer	Townsend
Clarke, C. C.	Fish	Kimball	Nixon	Treadway
Comstock	Fitts	King	O'Neil	Van Gorder
Connelly	Flaherty	Lane	Rhodes	Walters
Cottrell	Graham	Larmon	Rice	West
Cronin	Greene	Little	Roesch	Whipple
Curtis	Guenther	Loder	Ryan	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Aspinall, in pursuance to notice previously given, moved to suspend Rule 44 for the purpose of reading the third time out of its order Senate bill No. 94, entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine into a single act

all existing special and local laws affecting public interests in the city of Brooklyn."

Mr. Aspinall moved a call of the House, excepting ladies and gentlemen outside of the railing.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker the Clerk called the roll, when the following members responded:

Acker	Dinehart	Hitt	McKenzie	Schaaff
Andrus	Dinkelspiel	Hornidge	McLaughlin	Sheehan
Aspinall	Donaldson	Hughes	McMaster	Sheldon
Baker, A. B.	Duffy	Husted	Mead	Smith, M. A.
Baker, A. H.	Dunham	Kelly	Miley	Smith, T.
Bauer	Dunlap	Kent	Miller	Sperry
Blanchfield	Edwards	Kerrigan	Moffitt	Stevens
Brownell	Endres	Kimball	Moody	Strassburg
Bush, G. H.	Enz	King	Mullaney	Sullivan
Cheney	Fish	Lane	Murray	Tefft
Clark, J.	Fitts	Larmon	Newschafer	Towne
Clarke, C. C.	Flaherty	Le Roy	Nixon	Townsend
Comstock	Gallup	Lewis	O'Neil	Treadway
Connelly	Gibbs	Little	Pearsall	Upson
Cottrell	Graham	Lodier	Peck	Van Gorder
Cronin	Greene	Longley	Rhodes	Walters
Crosby	Groat	Martin	Rice	Whipple
Curtis	Guenther	Mase	Roesch	Yates
Dante	Haffner	Maynard	Ryan	Yetman
Davidson	Hagan	McAdam	Saunders	Young
Decker	Haggerty	McCann	Savery	Youngman
Demarest	Hamilton	McCarren	Saxton	Speaker
de Peyster	Harwood			

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Mr. Sheehan moved that further proceedings under the call of the House be dispensed with.

Mr. Speaker put the question whether the House would agree to said motion and it was determined in the negative.

The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared before the bar of the House with Messrs. Stevens, Donaldson and Moffitt.

Mr. Yates moved that they be excused and marked as having been present.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Aspinall moved that further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree said motion to suspend Rule 44, and it was determined in the affirmative.

{ AYES 68 }
{ NOES 38 }

Those who voted in the affirmative, were

Acker	Curtis	Hamilton	McMaster	Smith, M. A.
Andrus	Dante	Hughes	Mead	Sperry
Aspinall	Davidson	Husted	Mesick	Stevens
Baker, A. B.	de Peyster	Kimball	Moffitt	Tefft
Baker, A. H.	Dinehart	King	Moody	Towne
Barton	Donaldson	Lane	Nixon	Treadway
Bauer	Dunlap	Larmon	Pearsall	Upson
Brown	Edwards	Le Roy	Peck	Van Gorder
Brownell	Enz	Lewis	Rhodes	Walters
Cheney	Fish	Little	Saunders	Whipple
Clark, J.	Fitts	Loder	Savery	Yates
Comstock	Flaherty	Maynard	Saxton	Youngman
Cottrell	Gallup	McAdam	Sheldon	Speaker
Crosby	Gibbs	McKenzie		

Those who voted in the negative, were

Blanchfield	Guenther	Kerrigan	Mullaney	Schaaff
Connelly	Haffner	Longley	Murray	Sheehan
Demarest	Hagan	Martin	Newschafer	Strassburg
Dinkelspiel	Haggerty	McCann	O'Neil	Sullivan
Duffy	Harwood	McCarren	Rice	Townsend
Dunham	Hornidge	McLaughlin	Roesch	Yetman
Endres	Kelly	Miley	Ryan	Young
Graham	Kent	Miller		

Said bill having been announced for a third reading,

Mr. Aspinall moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 68 }
{ NOES 44 }

Those who voted in the affirmative, were

Acker	Curtis	Hamilton	McKenzie	Sheldon
Andrus	Dante	Hughes	McMaster	Smith, M. A.
Aspinall	Davidson	Husted	Mead	Sperry
Baker, A. B.	de Peyster	Kimball	Mesick	Stevens
Baker, A. H.	Dinehart	King	Moffitt	Tefft
Barton	Donaldson	Lane	Moody	Towne
Bauer	Dunlap	Larmon	Nixon	Treadway
Brown	Edwards	Le Roy	Pearsall	Upson
Brownell	Enz	Lewis	Peck	Van Gorder
Cheney	Fish	Little	Rhodes	Walters

Clark, J.	Fitts	Loder	Saunders	Whipple
Comstock	Flaherty	Mase	Savery	Yates
Cottrell	Gallup	Maynard	Saxton	Youngman
Crosby	Gibbs	McAdam		

Those who voted in the negative, were

Blanchfield	Endres	Hornidge	Miley	Schaaff
Bush, G. H.	Graham	Kelly	Miller	Sheehan
Clarke, C. C.	Greene	Kent	Mullaney	Smith, T.
Connelly	Guenther	Kerrigan	Murray	Strassburg
Cronin	Haffner	Longley	Newschafer	Sullivan
Demarest	Hagan	Martin	O'Neil	Townsend
Dinkelspiel	Haggerty	McCann	Rice	Yetman
Duffy	Harwood	McCarren	Roesch	Young
Dunham	Hitt	McLaughlin	Ryan	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 343) entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further power of local legislation and administration, and to regulate the compensation of supervisors,' and the acts amending the same" (Rec. No. 135), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Graham	Martin	Rice
Andrus	Crosby	Greene	Mase	Roesch
Aspinall	Curtis	Guenther	Maynard	Saunders
Baker, A. B.	Dante	Haffner	McAdam	Savery
Baker, A. H.	Davidson	Hagan	McCann	Sheldon
Barton	Decker	Hamilton	McKenzie	Smith, M. A.
Blanchfield	Demarest	Harwood	McLaughlin	Smith, T.
Brown	de Peyster	Hitt	McMaster	Stevens
Brownell	Dinkelspiel	Hughes	Mead	Sullivan
Bush, G. H.	Duffy	Kelly	Mesick	Towne
Cheney	Dunham	Kent	Miley	Treadway
Clark, J.	Dunlap	Kerrigan	Moffitt	Van Gorder
Clarke, C. C.	Endres	King	Moody	Walters
Comstock	Fish	Lewis	Pearsall	Whipple
Connelly	Flaherty	Little	Peck	Yates
Cottrell	Gibbs	Loder	Rhodes	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (not printed, Rec. No. 136) entitled "An act to

amend section 1638 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the drawing of jurors," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Haggerty	Maynard	Sheldon
Andrus	Demarest	Hamilton	McCann	Smith, M. A.
Baker, A. B.	de Peyster	Harwood	McCarren	Smith, T.
Barton	Dinkelspiel	Hayes	McKenzie	Stevens
Bauer	Edwards	Hughes	McMaster	Sullivan
Blanchfield	Endres	Kelly	Mesick	Tefft
Brown	Enz	Kent	Miley	Towne
Bush, G. H.	Fish	Kerrigan	Moffitt	Townsend
Cheney	Fitts	Kimball	Moody	Treadway
Clarke, C. C.	Flaherty	King	Mullaney	Van Gorder
Comstock	Gallup	Lane	Murray	Walters
Connelly	Gibbs	Larmon	Pearsall	Whipple
Cottrell	Graham	Lewis	Rice	Yates
Curtis	Guenther	Loder	Roesch	Young
Dante	Haffner	Longley	Ryan	Youngman
Davidson	Hagan	Mase	Saunders	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 332) entitled "An act to provide for issuing licenses for persons to marry" (Rec. No. 137), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, three-fifths of all the members elected to the Assembly not voting in favor thereof.

{ AYES 55 }
{ NOES 30 }

Those who voted in the affirmative, were

Ainsworth	de Peyster	Husted	Mead	Sperry
Andrus	Donaldson	Kimball	Mesick	Stevens
Aspinall	Dunlap	King	Moffitt	Tefft
Baker, A. H.	Edwards	Lane	Moody	Towne
Barton	Fitts	Little	Newschafer	Treadway
Bauer	Gallup	Loder	Nixon	Van Gorder
Brownell	Gibbs	Longley	Rhodes	Walters
Comstock	Haffner	Mase	Saunders	Whipple
Cottrell	Harwood	Maynard	Savery	Yates
Curtis	Hitt	McCann	Saxton	Youngman
Davidson	Hughes	McKenzie	Smith, M. A.	Speaker

Those who voted in the negative, were

Acker	Demarest	Greene	Martin	Murray
Blanchfield	Dinkelspiel	Hamilton	McCarren	Pearsall
Bush, G. H.	Dunham	Kelly	McLaughlin	Roesch
Connelly	Endres	Kent	McMaster	Ryan
Dante	Enz	Kerrigan	Miley	Sheldon
Decker	Graham	Lewis	Mullaney	Sullivan

Mr. Van Gorder moved to reconsider the vote by which said bill was lost and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate bill (No. 40) entitled "An act to incorporate the fire department of the town of Newtown, Queens county, N. Y." (Rec. No. 138), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	de Peyster	Hornidge	McKenzie	Saxton
Andrus	Dinkelspiel	Hughes	McMaster	Schaaff
Aspinall	Donaldson	Kelly	Mead	Sheehan
Baker, A. B.	Duffy	Kent	Miley	Sheldon
Baker, A. H.	Edwards.	Kerrigan	Miller	Smith, M. A.
Barton	Endres	Kimball	Moffitt	Stevens
Bauer	Enz	Lane	Moody	Strassburg
Brown	Fish	Lewis	Mullaney	Sullivan
Bush, G. H.	Fitts	Little	Newschafer	Tefft
Comstock	Gibbs	Loder	Nixon	Towne
Connelly	Graham	Longley	Pearsall	Townsend
Cottrell	Greene	Martin	Rhodes	Treadway
Cronin	Guenther	Mase	Rice	Walters
Curtis	Haffner	Maynard	Roesch	Whipple
Dante	Haggerty	McAdam	Ryan	Yates
Davidson	Hamilton	McCann	Saunders	Young
Decker	Hitt	McCarren	Savery	Youngman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend section 1 of chapter 493 of the Laws of 1888, entitled 'An act to amend section 473 of the Penal Code, relating to public officers'" (No. 705), reported the same with the recommendation that it be amended as follows:

Section 1, line 1, after the word "section" strike out all down to and including the word "section" in line 3.

Same section, line 4, after the word "officers" insert the words "as amended by chapter 493 of the Laws of 1888."

Amend title, after the word "amend" in line 1, strike out all down to and including the word "amend" in line 3.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend section 1022 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the board of education" (No. 1030), reported the same with the recommendation that it be amended as follows:

Section 1, line 4, after the word "hereby" insert the word "further."

Same section, line 23, after the word "districts" insert the word "respectively."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 546 of the Laws of 1887, entitled 'An act to provide for the organization of trust companies,' for their supervision, and for the administration of their affairs" (No. 962), reported the same with the recommendation that it be amended as follows:

Section 1, line 4, after the word "amended" insert the words "so as."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 417 of the Laws of 1878, entitled "An act to provide for the laying out and improvement of the public squares and places established in Fourth avenue, in the city of New York, by chapter 528 of the Laws of 1873'" (No. 1077), reported the same with the recommendation that it be amended as follows:

Section 2, strike out all of line 1.

Amend the title by adding at the end thereof the words "and to provide means for the purposes of said act."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 461 of the Laws of 1871, entitled 'An act to revise the charter of Long Island City'" (No. 520), reported the same with the recommendation that it be amended as follows:

Section 3, line 2, strike out the words "of that chapter and title" and insert the word "thereof" in place thereof, and after the word "sections" insert the words "to be numbered two, three and four which shall read."

Amend the title by inserting at the end thereof the words "relating to assessors and assessments."

Mr. Speaker put the question whether the House would agree to

said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 411 of the Laws of 1884, entitled 'An act relative to the assessment and collection of taxes, the disposition to be made of certain moneys collected, to legalize certain unpaid taxes, and to authorize the redemption of certain lands in towns within counties containing upwards of three hundred thousand inhabitants'" reported the same with the recommendation that it be amended as follows:

Amend the title by striking out the word "four" in line 2 and inserting the word "five" in place thereof.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,' and the acts amending the same" (No. 590), reported the same with the recommendation that it be amended as follows:

Section 1, line 5, after the word "supervisors" insert "as amended by chapter 439 of the Laws of 1885."

Amend the title by adding at the end thereof the words "relating to fire districts in incorporated villages."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend section 1066 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relative to certain institutions" (No. 894), reported the same with the recommendation that it be amended as follows:

Amend the title by inserting the word "educational" before the word "institutions" in last line.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 18 of the Laws of 1882, entitled 'An act to revise the charter of the city of Utica,' as amended by chapter 371 of the Laws of 1876, chapter 358 of the Laws of 1882, chapter 426 of the Laws of 1887, and chapter 87 of the Laws of 1888" (No. 440), reported the same with the recommendation that the title be amended by striking out the word "eighty," in line 2, and inserting the word "sixty" in place thereof, and strike out all after the word "Utica," in line 3; also, add at the end thereof the words "and the acts amendatory thereof and supplemental thereto, relating to power of common council to raise additional tax."

Mr. Speaker put the question whether the House would agree to

said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 392, Laws of 1871, entitled 'An act to incorporate the Southern New York Baptist Association'" (No. 969), reported the same with the recommendation that it be amended as follows:

Section 1, line 1, after the word "ninety-two" insert the words "of the;" same line, add at the end thereof the word "of."

Same section, line 2, strike out the words "of New York."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act in relation to local improvements in the town of Westchester, and repealing section 3 of chapter 131 of the Laws of 1880" (No. 1080), reported the same with the recommendation that it be amended as follows:

Section 4, line 2, insert the word "the" before the word "passage."

Same section, line 4, strike out the word "penalty" and insert the words "penal sum" in place thereof.

Section 8, line 12, after the word "accounting" insert the word "if," and strike out the word "shall."

Amend the title by adding at the end thereof the words "relating to refunding of a portion of the indebtedness of the town of Westchester."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to provide for the establishment of dairy schools for the instruction of pupils in the science and art of dairy husbandry" (No. 1069), reported the same with the recommendation that it be amended as follows:

Amend the title by adding at the end thereof the words "and making an appropriation therefor."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to authorize the common council of the city of Utica to raise by tax and disburse money in providing an additional engine-house in said city" (No. 436), reported the same with the recommendation that it be amended as follows:

Section 2, line 2, strike out the word "such" and insert "a" in place thereof.

Same section, line 3, strike out the words "as shall be expedient;" also, after the word "dollars" insert the words "with interest at a rate not exceeding four per centum per annum."

Same section, line 4, after the word "installment" insert "which shall be for the sum of \$8,000."

Same section, line 5, strike out the word is;" also, insert at the end

thereof the words "The bonds issued in pursuance of this act shall not be sold at less than par and shall be redeemable in the year 1890, in and for the sum of \$3,500 with interest, and in the year 1891 in and for the sum of \$3,500 and interest, the interest thereon to be paid semi-annually by the city treasurer."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 314 of the Laws of 1874, entitled 'An act to establish a board of police and fire commissioners of the city of Utica,' as amended by chapter 423, Laws of 1876; chapter 474, Laws of 1883; chapter 93, Laws of 1884; chapter 140, Laws of 1886; chapter 541, Laws of 1886; chapter 607, Laws of 1887, and to limit the amount to be expended by said board" (No. 1078), reported the same with the recommendation that the title be amended by striking out all after the word "Utica" in line 4 and inserting the words "and the acts amendatory thereof" in place thereof.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 294 of the Laws of 1869, entitled 'An act to incorporate the fire department of the city of Binghamton'" (No. 441), reported the same with the recommendation that it be amended as follows:

Section 2, line 1, strike out the word "two" and insert the word "three" in place thereof.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendation:

"An act to amend chapter 505 of the Laws of 1873, entitled 'An act to reorganize the village of Gloversville,' and the several acts amendatory thereof." (No. 1070.)

"An act to amend section 983 of the Code of Civil Procedure, in regard to change of venue when the people of the State are a party." (No. 1076.)

"An act reappropriating a certain unexpended balance, and authorizing the Superintendent of Public Works to expend the same in dredging and excavating the channel of Seneca river and the old Bear race in the village of Waterloo, and providing for the release to the State by the owner of lands in the channel of said race, the right to use the same for canal purposes only." (No. 1104.)

"An act to establish the compensation of the county judge and surrogate of Warren county." (No. 525.)

"An act to establish and settle the bulk-head and pier line along the East river at Long Island City and Ravenswood, in the port of New York." (No. 1063.)

"An act making an appropriation for the completion of the bridge and the approaches thereto across the Champlain canal at the east end of Ship street, in the city of Cohoes." (No. 924.)

"An act to release to Mary McGarvey Huston, the only child and heir-at-law of William McGarvey, deceased, the interest of the people of the State of New York in the personal property of which William McGarvey and Ellen Nealey McGarvey, or either of them, died possessed." (No. 770.)

"An act to prevent and punish fraud in the sale of coal in the cities of New York and Brooklyn." (No. 901.)

Ordered, That said bills be engrossed for a third reading.

The bill (No. 643) entitled "An act to repeal chapter 371 of the Laws of 1859, entitled 'An act constituting the town of Sherburne, in the county of Chenango, a single election district,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Davidson	Hitt	McCarren	Savery
Ainsworth	Decker	Hornidge	McKenzie	Saxton
Andrus	Demarest	Hughes	McLaughlin	Schaaff
Baker, A. B.	de Peyster	Kelly	McMaster	Sheehan
Baker, A. H.	Dinkelspiel	Kent	Miley	Sheldon
Barton	Dunlap	Kimball	Miller	Smith, M. A.
Blanchfield	Edwards	King	Moffitt	Sperry
Brown	Endres	Lane	Mullaney	Strassburg
Bush, G. H.	Enz	Larmon	Murray	Sullivan
Cheney	Fitts	Lewis	Newschafer	Tefft
Clark, J.	Flaherty	Little	Nixon	Walters
Clarke, C. C.	Graham	Loder	Pearsall	West
Cottrell	Guenther	Longley	Rhodes	Whipple.
Cronin	Haffner	Martin	Rice	Yates
Crosby	Hagan	Mase	Roesch	Young
Curtis	Haggerty	Maynard	Ryan	Youngman
Dante	Hamilton	McCann	Saunders	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 12, 1889. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly herewith is returned for amendment Assembly bill No. 514, entitled "An act to authorize the treasurer of the city of Buffalo to return to the Comptroller before May 1, 1889, the consolidated school and district school fund rolls of 1888, received before March 1, 1889, without publication or interest, or making a transcript thereof."

DAVID B. HILL.

Mr. Guenther offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill No. 514, entitled "An act to authorize the treasurer of the city of Buffalo to return to the Comptroller before May 1, 1889, the consolidated school and district school fund rolls of 1888, received before March 1, 1889, without publication or interest, or making a transcript thereof," be returned to the Governor, without amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The bill (No. 648) entitled "An act to further provide the means for the erection and completion of a soldiers and sailors' monument in the city of Brooklyn, by authorizing the issue of bonds," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Haffner	Maynard	Ryan
Baker, A. B.	Demarest	Hamilton	McCann	Saunders
Baker, A. H.	de Peyster	Harwood	McCarren	Savery
Barton	Dinkelspiel	Hornidge	McKenzie	Saxton
Bauer	Duffy	Hughes	McLaughlin	Schaaft
Blake	Dunham	Husted	Mead	Sheehan
Blanchfield	Dunlap	Kelly	Mesick	Smith, M. A.
Brown	Edwards	Kent	Miley	Sperry
Bush, G. H.	Enz	Kerrigan	Moffitt	Strassburg
Clark, J.	Fish	Lane	Mullaney	Tefft
Clarke, C. C.	Fitts	Larmon	Murray	Treadway
Coon	Gallup	Le Roy	Newschafer	Walters
Cottrell	Gibbs	Lewis	Nixon	Whipple
Cronin	Graham	Little	Pearsall	Yates
Curtis	Greene	Loder	Rice	Young
Dante	Guenther	Longley	Roesch	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 650) entitled "An act supplementary to section 1 of chapter 192 of the Laws of 1888, entitled 'An act to provide for improving the facilities for commerce and the convenience of the public by deepening the harbor and entrance thereto at the foot of Canandaigua lake, in the county of Ontario, and to protect the same by the erection of a suitable pier and breakwater, and to make an appropriation therefor,' and making an additional appropriation," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Demarest	Haggerty	McCann	Saxton
Ainsworth	de Peyster	Hamilton	McCarren	Schaaff
Andrus	Dinkelspiel	Harwood	McKenzie	Sheldon
Baker, A. B.	Donaldson	Hornidge	McLaughlin	Smith, M. A.
Baker, A. H.	Duffy	Hughes	Mead	Smith, T.
Barton	Dunham	Husted	Miley	Stevens
Bauer	Dunlap	Kelly	Miller	Strassburg
Blanchfield	Edwards	Kent	Moffitt	Sullivan
Brown	Endres	Kimball	Mullaney	Tefft
Bush, G. H.	Fish	Larmon	Murray	Upson
Clark, J.	Flaherty	Le Roy	Newschafer	Van Gorder
Clarke, C. C.	Gallup	Lewis	Nixon	Walters
Connelly	Gibbs	Little	Rice	Whipple
Coon	Graham	Loder	Roesch	Yates
Cronin	Guenther	Longley	Ryan	Young
Davidson	Haffner	Martin	Saunders	Youngman
Decker	Hagan	Maynard	Savery	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent,

Mr. Hagan introduced a bill entitled "An act to provide for the change of the name of the Foundling Asylum of the Sisters of Charity in the city of New York" (Int. No. 1197), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hagan, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and printed and when printed to be committed to the committee on affairs of villages, retaining its place on the order of third reading.

The Speaker and Clerk referred the following entitled bills to the subcommittee of the whole:

Int. 210, No. 544, "An act to amend chapter 48 of the Laws of 1878, entitled 'An act to authorize the transfer to the State of the Soldiers' Home and the appointment of a board of trustees for its completion and control.'"

Int. 965, No. 979, "An act for the protection of fish and destruction of nets."

Int. 968, No. 942, "An act to amend chapter 119 of the Laws of 1888, entitled 'An act relating to employes of the various cities and counties of the State.'"

Int. 1072, No. 1058, "An act to provide for the revision and codification of the laws for the protection and preservation of fish and shell-fish and of birds and quadrupeds."

Int. 1036, No. 899, "An act to provide for the rehearing of the claim of John Fitzpatrick for extra work done and materials furnished for the State, under the direction of State officials, in the improvement of Fall creek, in Havana, Schuyler county."

Int. 844, No. 890, "An act in relation to the Inebriates' Home for Kings county."

Int. 787, No. 889, "An act to amend chapter 71 of the Laws of 1884, entitled 'An act to authorize the use of State armories by associations of discharged soldiers,' and the acts amendatory thereof."

Int. 658, No. 900, "An act regulating vaccination in the State of New York."

Int. 1170, No. 1054, "An act to prohibit police officials or their subordinates from being interested in the manufacture or sale of any spirituous or malt liquors, ales, wines or beer, or in the sale of ball or amusement tickets."

The privileges of the floor were extended to Hons. S. A. Beeman, William Mitchell, A. N. Weller, George S. Weed, D. S. Potter, John A. Quintard, J. T. Lindsley and J. Irving Burns.

The following were excused for the day: Messrs. Blumenthal, Hunting, Adams, Creamer, Ainsworth, Coon, Charles Smith, Blake, R. P. Bush, West and Hayes.

The Senate returned the bill entitled "An act to authorize and provide for the construction and maintenance of sewers and drains in and for the village of New Rochelle, and for the payment thereof" (No. 322), with a message that they have concurred in the passage of the same, as amended.

Ordered, That the Clerk deliver said bill to Governor.

On motion of Mr. Husted, the House took a recess until 8 o'clock P. M.

EIGHT O'CLOCK P. M.

The House again met.

Mr. Saxton in the chair.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 16, 1889. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 244, entitled "An act to amend chapter 912 of the Laws of 1869, entitled 'An act to incorporate the city of Cohoes,' and the acts amendatory thereof."

DAVID B. HILL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Decker	Hamilton	McAdam	Savery
Andrus	Demarest	Harwood	McCarren	Saxton
Baker, A. B.	de Peyster	Hayes	McKenzie	Schaaff

Baker, A. H.	Dinkelspiel	Hitt	McLaughlin	Sheehan
Bauer	Donaldson	Hornidge	Mead	Sheldon
Blanchfield	Duffy	Hughes	Mesick	Smith, M. A.
Brown	Dunham	Husted	Miller	Strassburg
Clark, J.	Edwards	Kent	Moffitt	Sullivan
Comstock	Endres	Kerrigan	Moody	Towne
Connelly	Enz	Lane	Mullaney	Van Gorder
Coon	Fitts	Larmon	Murray	Walters
Cottrell	Gibbs	Le Roy	Pearsall	Whipple
Cronin	Graham	Lewis	Peck	Yetman
Crosby	Groat	Little	Rhodes	Young
Curtis	Guenther	Longley	Ryan	Youngman
Davidson	Haffner	Martin	Saunders	

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. Le Roy and by unanimous consent, the same was amended by striking out all after the enacting clause and inserting the following:

SECTION 1. Section three of title twelve of chapter nine hundred and twelve of the laws of one thousand eight hundred and sixty-nine, incorporating the city of Cohoes, is hereby amended so as to read as follows:

§ 3. At the expiration of the time mentioned in the last section, it shall be the duty of the chamberlain to proceed without delay to issue his warrant, under his hand and seal of the city, to any constable of the city, or to as many of them as he may deem necessary, commanding said officer or officers to levy the tax and fees by distress and sale of the goods and chattels of the person upon whose real or personal property the tax was apportioned, according to the said assessment and tax-roll, or of any goods or chattels in his or her possession, wheresoever the same may be found in the city of Cohoes or county of Albany, and to pay the same to the said chamberlain, and return such warrant within twenty days from the date thereof; and no claim of property to be made to such goods and chattels shall be available to prevent a sale thereof, except in such cases as are provided for by the general statutes of this State. Such warrants shall bear uniform date. The said constable shall thereupon immediately give public notice of the time and place of sale of the property to be sold, at least five days previous to the sale, by advertisement to be posted up in at least three public places in the city. The sale shall be at public auction. If the property shall be sold for more than the amount of the tax and fees and the costs of such distress and sale, the surplus shall be returned to the person entitled thereto.

§ 2. The following is hereby made section four of said title twelve, and shall read as follows:

§ 4. If any such taxes shall remain unpaid after diligent effort made to collect the same by virtue of such warrant, and the officer to whom the warrant was delivered shall not be able to collect the same, the chamberlain shall prepare an account of such taxes, which he shall verify by comparison with the assessment-roll and certify to be correct, and to which shall be annexed the affidavit of the officer to whom the warrant was delivered, that the sums mentioned in such account

remain unpaid, and that he has not been able upon diligent inquiry to discover any goods or chattels belonging to or in the possession of the persons charged with or liable to pay such sums, whereon he could levy the same. The chamberlain shall deliver such account of unpaid taxes to the common council to be filed with the city clerk, and he shall have the proper credit therefor. The common council shall have power to add the amount of such unpaid taxes together with interest thereon at the rate of twelve per centum per annum, to the annual city tax of the succeeding year, and charge the same upon the real estate upon which it was originally assessed, or levy and collect the same by distress and sale of the goods and chattels belonging to or in the possession of the respective persons whose taxes remain unpaid; and the same proceedings may be had for the collection thereof in all respects and with like effect as in the case of other city taxes for the then current year; and the common council shall have power to relay and reassess such taxes in the manner aforesaid in succeeding years, but not beyond the amount of time specified in sections five and six of this title; or said common council may proceed to foreclose the lien of such taxes and make sale of the land affected thereby in the manner provided in the fifth and succeeding sections of this title. Whenever the chamberlain shall receive a warrant for the collection of a tax for any city purpose other than those purposes hereinbefore specified, it shall be his duty forthwith to give the notices hereinbefore required to be given in the case of general city taxes; and all proceedings for the collection of said tax may be taken in the same manner as hereinbefore provided for the collection of taxes for general city purposes.

§ 3. Sections five, six, seven, eight, nine, ten and eleven of said title are hereby repealed, and in place thereof shall be the following:

§ 5. All taxes and assessments for city purposes shall be a lien upon the real estate upon which they are assessed, for ten years from the first publication by the chamberlain of the notice mentioned in section two of this title, unless sooner paid, and shall have priority in the order of time in which they become liens. If the proceedings hereafter mentioned to enforce said liens have been stayed by a court or judge having jurisdiction therefor, the period of such stay shall not be taken as a part of said ten years. Such liens shall be superior to any mortgage, judgment or other lien of any nature affecting said premises, except state and county taxes, and liens in favor of the United States.

§ 6. Whenever such unpaid taxes and assessments, with the additions thereto, on any one parcel of land, shall have been in the hands of the common council for one year, the city clerk, when directed by resolution of the common council, and, after three years of the lien of such unpaid taxes has expired, forthwith, without such resolution, shall cause the chamberlain's certificate to the account mentioned in section four of this title, together with his certificate to a like account of all other taxes and assessments on the same parcel of land, to be countersigned by the mayor, and deliver them to the city attorney, who, upon receipt of such account and certificate, properly countersigned, shall forthwith bring an action in any court of record of competent jurisdiction, in the name of the city of Cohoes, as plaintiff, for

the foreclosure of the lien of the taxes and assessments described in said account, and for the sale of the lands affected thereby. The course of proceedings in said action shall be analogous to those in an action for the foreclosure of a mortgage on real property, and shall conform to the procedure and rules of court prescribed therefor. The account and certificate of said chamberlain, with his certificate countersigned by the mayor, shall be presumptive evidence of the legality of the taxes and assessments therein described, and of the regularity of all the proceedings required by law and the provisions of this act to be taken before the delivery of the account and certificate to the city attorney.

§ 7. All parties having any lien upon, or interest or estate in, said property, shall be made parties defendant in said action, and all parties defendant, duly served with process, shall be barred and foreclosed of and from any lien upon, or interest or estate in, said property by sale of the property under the judgment in such action.

§ 8. The city shall be entitled to recover the necessary actual disbursements made in each action, and costs as herein provided. When judgment is taken by default, the costs taxed shall not exceed five dollars, except where the amount shown to be due by said account and certificate, including interest, shall exceed fifty dollars, in which case the costs taxed shall not exceed the sum of ten dollars. Where the action, however, is settled before judgment, there shall be allowed, as costs to the city, only one-half of the above prescribed sums. When the owner of the fee of the property shall interpose an unsuccessful defense to the claim of the city, the same costs may be awarded to the city as would be allowed in a similar action to foreclose a mortgage, except that no percentages shall be allowed. When any other party defendant shall interpose an unsuccessful defense, the same costs as against the owner of the fee may be allowed, and a personal judgment may be entered against such defendant. When any party defendant shall successfully interpose a defense to the claim of the city, he may be awarded the same costs against the city as would be allowed him in a similar action to foreclose a mortgage on real property, and judgment therefore shall be entered against the city.

§ 9. When judgment of foreclosure and sale shall be ordered in such action, it shall direct the chamberlain or city clerk to act as the officer to make the sale, but he shall not be entitled to any fees for such services. On every such sale, the city attorney shall bid for the city the amount of the judgment, together with the interest thereon and the expenses of the sale, and such further sum as may be required to pay all taxes and assessments levied for the aforesaid purposes subsequent to those for which the judgment has been obtained, with the additions thereto, and if no further bid is received, the property shall be struck off to the city of Cohoes; but such city shall not be required, or be liable, to contribute, in cash, the amount of any bid made in its behalf to any specific fund. Out of the proceeds of such sale, the costs of the action and the expenses of the sale shall be first paid to the city attorney, and then the moneys adjudged to be due, with the interest and the amount of all taxes and assessments with the additions thereto, levied subsequent to those for which the judgment was obtained, shall be paid to the chamberlain, to be apportioned among

the several funds to which such taxes and assessment are, by law, to be credited, and a report thereof made to the common council. The surplus, if any there be, shall be paid into court, subject to the further order of the court. The sale shall be made subject to all State and county taxes and liens in favor of the United States, which are a lien at the date of the sale. The lien of all taxes and assessments levied by said city on the lands sold prior to the sale, shall be extinguished thereby.

§ 10. At any time after such tax or assessment has become a lien upon any parcel of land, and before the final sale under the judgment of foreclosure, the owner of the fee of the property or any person having a lien by mortgage or judgment thereon, may pay said tax or assessment, with the interest, costs and expenses thereon, to the officer of the city having the same for collection, and thereupon an assignment of said tax and assessment shall be executed to said person, if a mortgage or judgment creditor, and he may add the amount so paid to his lien, and enforce it, with interest, as a part thereof. In case of two or more mortgage or judgment liens upon the same property, the holder of the prior mortgage or judgment shall have the right within the time aforesaid to redeem the premises from such tax or assessment if an assignment thereof shall be held by the holder of a subsequent mortgage or judgment.

§ 11. During the first week in October in each year, the common council may begin the publication in one or more city papers of a statement of all city taxes and assessments, or any assessment-roll for the preceding year, which remains in its hands unpaid, with a concise description of the parcels of real estate affected thereby, and a notice of the penalties to be incurred, as herein provided, in case of the non-payment thereof. It shall continue such publication twice in each week for three successive weeks, and the expense of such publication shall not exceed one dollar for each piece of land so advertised. There shall be added to the tax on each parcel, and collected from the person paying the same, the expense of publishing the description of such parcel.

§ 4. Section twelve of said title twelve is hereby repealed, and in place thereof shall be the following:

§ 12. Upon application of any person interested, made before sale in foreclosure as hereinbefore provided, the common council may apportion any unpaid tax or assessment and determine the amount thereof chargeable against any separate parcel of the lands originally assessed therefor, on such equitable principles as to it may seem applicable in the premises, and on payment to the chamberlain of the sum so determined, together with a pro rata proportion of any interest, fees or expenses which may have accrued thereon, said tax or assessment shall be extinguished as to such separate parcel, and the remainder thereof shall continue a lien on the remainder of the lands originally assessed therefor. This section shall apply to local assessments and general city taxes.

§ 5. The following is hereby made section fourteen of said title twelve, and shall read as follows:

§ 14. In addition to the remedies hereinbefore, in this title, provided for the collection of unpaid taxes and assessments, the common

council shall have power to collect by civil action, in the name of the city of Cohoes, any city taxes imposed under the provisions of this title, which shall be returned by the chamberlain as unpaid; and all assessment-rolls and certificates of special assessment filed with the clerk or delivered to the chamberlain, or certified copies thereof, shall be prima facie evidence in all courts and places, and in all actions and proceedings, that the taxes and assessments therein contained have been regularly and duly assessed and imposed, and of the right of recovery thereof.

§ 6. The following is hereby made section fifteen of said title twelve, and shall read as follows:

§ 15. In cases where lands shall have been sold for taxes and purchased by and conveyed to the city as hereinbefore provided, the chamberlain shall, on the first Monday in May in each year, at ten o'clock in the forenoon, at the common council chamber, sell all such lands at public auction to the highest bidder for cash. Notice of such sale, specifying the time, place, each parcel of land to be sold, the manner and terms of sale, shall be given by the chamberlain by publication thereof in one or more city papers, twice in each week for the three successive weeks next preceding the day of sale. Said sale shall be open to all persons, and the same shall be fairly conducted without preference or undue haste. Each lot or parcel of land shall be separately exposed for sale, as far as practicable. Upon payment by the purchaser of the sum for which any lot or parcel was sold the chamberlain shall execute and deliver to him a deed thereof, under the city seal, which the chamberlain shall properly acknowledge so as to entitle it to be recorded. In case any purchaser fails to complete his purchase of any parcel or parcels of land on the day of sale the sale shall be held open as to such parcel or parcels of land until the next following day at ten o'clock in the forenoon, when if the sale shall be incomplete, the lands shall be again exposed for sale without further notice, and sold in like manner as above prescribed. The money received from such sale shall be placed by the chamberlain to the credit of the several funds to which the taxes and assessments for which such lands were sold were by law to be credited.

§ 7. Chapter 912 of the laws of 1869, incorporating the city of Cohoes, is hereby further amended by striking out title ten thereof and inserting in its place the following:

TITLE X.

§ 1. The public schools of the city of Cohoes shall be under the management and control of eight school commissioners, who shall be electors and residents of said city, and who shall together constitute a board of education and shall hold office as hereinafter provided.

§ 2. At the annual election to be held in said city next succeeding the passage of this act, for the election of city and ward officers, there shall be elected eight school commissioners, who shall together constitute the first board of education under the provisions of this act. Each qualified voter at such election shall be entitled to vote for four school commissioners, who shall be residents and electors of said city. Except as to the number of school commissioners to be voted for and elected at said election, said election shall be conducted and the

results thereof determined in all respects as is hereafter prescribed for the election of school commissioners at succeeding annual elections, but it shall not be deemed a failure to elect by reason of two or more persons voted for at said election having received an equal number of votes; and the eight persons who appear from the returns of the inspectors of election to have received the greatest number of votes, at said first election, for the office of school commissioner, shall be declared by the common council to be duly elected, and shall hold office as herein provided and until their successors are duly elected and qualified. At their first annual meeting said school commissioners shall divide themselves into two classes, equal numerically and, as far as possible, politically. The members of each class shall then determine by lot their several terms of office, which shall be for one member, one year; for another, two years; for a third, three years; and a fourth, four years; so that two of the school commissioners first elected under the provisions of this act shall hold office for one year; two, for two years; two, for three years; and two for four years; and all shall hold office from the date of their election as herein provided.

§ 3. At the second annual election after the passage of this act, to be held in the city of Cohoes, for the election of city and ward officers, and at each such election to be held thereafter in said city, there shall be elected two school commissioners, who shall succeed in office the two school commissioners whose term shall then next expire under the provisions of this title. All qualified voters at such election shall be entitled to vote for one person for the office of school commissioner, who shall be an elector and a resident of the city of Cohoes. Each ballot shall contain, written or printed thereon, the name of the person voted for, and shall be so folded as to conceal its contents, and shall be indorsed "schools." The ballots, on being received by the inspectors, shall be deposited by them in the box provided for the reception of said ballots. The election shall be conducted in all other respects in accordance with the provisions of the several existing laws relating to the election of civil officers by the people, so far as the same may be applicable thereto; and any person who may offer to vote at the election of the officers provided to be chosen by this title may be challenged as to his qualifications as an elector as in other cases, and shall be subject to the like penalties for false swearing and improper voting as are now provided by the laws relating to election for like officers. The several boards of inspectors of elections, after canvassing and estimating the number of votes received by them for each candidate for said office, shall certify the result to the common council of the said city, who shall, at the time they take action upon the returns of said inspectors of election relative to the other officers chosen at said election, determine the final results; and the two persons who shall appear from the returns made by the said inspectors to have received the greatest number of votes for the office of school commissioner, shall be declared by that body to be duly elected, and shall each hold office for the term of four years, and until their successors are elected and qualified. If, however, upon the examination of said returns, it be found and determined by the common council, that no two of the persons voted for said office have received the greatest number of votes by reason of two or more of the candidates

receiving an equal number of votes, then it shall be deemed a failure to elect any one of those receiving said equal number of votes and the said board of education shall have the power, and it shall be their duty, to elect such persons in the same manner as they are hereinafter empowered to fill vacancies arising in the board from any cause hereinafter mentioned.

§ 4. The members of said board shall hold their annual meeting on the Wednesday succeeding the third Tuesday of April in each year, and shall then organize their body. The board shall also meet for the transaction of business as often as once in each month, and may adjourn for any shorter time. Special meetings may be called by the president to be appointed by said board as hereinafter provided, or, in his absence or inability to act, by any two members of the board as often as necessary, by giving personal notice to each member of the board, or by causing a written or printed notice with the names of the members calling the same to be left at his last place of residence, at least twenty-four hours before the hour of such special meeting. The said board shall hold their meetings in the chamber in which the meetings of the common council of said city are usually held, and may, when they shall deem it expedient, also hold meetings in the rooms provided for the city library. At each annual meeting held by said board, and as often as his death, resignation or inability to act shall render necessary, they shall appoint, by ballot, one of their number president, who shall exercise all the powers usually incident to such office; and they shall also appoint a suitable person, other than a member of their body, superintendent of schools for the city of Cohoes, who shall exercise such powers and shall discharge such duties as the board shall at any time direct, and shall be allowed such annual compensation for his services as the board may determine at the time of his election, not exceeding the sum of \$1,500. The board shall also at the same meeting, or as soon thereafter as practicable, elect a suitable person as clerk of the board, who shall hold his office at the pleasure of the board, and who shall also be librarian, and as such clerk and librarian shall perform all the duties which are or may be required by the general school laws and board of education. As librarian he shall be present at the school or city library every day in the year, Sundays and holidays excepted, at such times and at such hours not less than four, in each day, as the board of education may prescribe. As clerk of the board of education, he shall keep a record of the proceedings of the board, and shall prepare the same for publication. The said record, or a transcript thereof certified by the president and clerk, shall be received in all courts of justice as evidence of the facts therein set forth; and such records and all books of account, vouchers and papers of said board shall be at all times subject to the inspection of the common council of the city of Cohoes, or any committee thereof. As clerk, he shall make out and submit to the board at its stated meetings in each month a tabulated abstract of the reports of the teachers for the preceding month. He shall keep the accounts of the board in such manner as shall show at any time the exact state of such accounts, the balances to the credit of each fund, the expenses of each school, and the cost of maintaining the schools in each school building, showing the

amount paid for teachers' wages, for general contingent expenses, including the cost of heating, repairing, supplies, and also the amount paid out for permanent improvements, specifying the place where such improvements have been made. He shall take the school census of the children of school age, once a year, according to law. He shall act as clerk of the several committees of the board when requested by the chairman thereof, and shall perform all other duties required by said board. Said clerk and librarian shall receive for all his services such annual salary as the board of education may determine, not exceeding the sum of six hundred dollars.

§ 5. Any member of said board of education may be removed from office for cause by the affirmative vote of at least six members thereof, provided always that such member shall be served with a copy of the charges preferred against him and notice of trial, not less than twenty days previous to the day fixed for the hearing of the matter, by leaving such copy and notice at his residence in the city, or by sending the same to his address by mail. The accused member, on his appearing before the board for trial, shall have the privilege of being represented by counsel.

§ 6. The said board shall have power to fill all vacancies that may occur in their body from any cause, by the election of any person eligible to said office. Such election shall be made by ballot, and the person receiving not less than six votes shall be declared duly elected, and shall hold office during the remainder of the term which he is elected to fill.

§ 7. On and after their election as herein provided, the said board of education shall have the control and management of the several public schools in the city of Cohoes, and shall possess and exercise all the powers now conferred by law upon the present board of education of said city, except as herein provided, and shall be styled "the board of education of the city of Cohoes," and shall be a body corporate in relation to all the powers and duties conferred upon them by this title. The said board of education shall have power, and it shall be their duty, to fix and determine the different grades of study which shall be taught in the various departments of the several schools under their charge, and to change the same at any time as they shall deem best calculated to advance the interests of the schools; and also to adopt such rules and regulations for the administration and government of the schools, and for the admission of pupils to the various departments therein, as they shall determine, with authority at any time to alter and amend the same as they shall deem advisable.

§ 8. The board of education shall have power to examine all applicants for the appointment by them as teachers in any of the schools under their charge; and no person shall be appointed or employed as a teacher in any of said schools (except in cases of emergency, when a teacher may be temporarily employed) unless the board shall, after such examination, consider such person well qualified to discharge the duties of the office, and shall give to such person a certificate of qualification which shall be signed on behalf of the board by the president and clerk thereof.

§ 9. For the purpose of carrying out the provisions of the last preceding section of this title, the board may appoint a committee from

their body at any time to examine applicants for appointments as teachers, and to re-examine any or all of the teachers in the employ of the board at such times as the board may deem advisable; and the results of such examinations shall be reported by the committee to the board for final action, with such recommendations as the committee may deem advisable.

§ 10. The said board shall have power at all times to fix the term for which any teacher shall be appointed, not exceeding the term of one year, and to determine the text-books which shall be used in the several departments of the public schools, and which shall be uniform, as near as may be, in those of the same grade; to supply the requisite text-books and stationery for the use of indigent pupils; to provide the several schools under their charge with the necessary school apparatus, maps, etc., the expenses thereof to be defrayed out of the school moneys of the city; and generally to possess all the powers, to discharge all the duties, and be subject to all the obligations heretofore conferred and imposed upon the present board of education of the city of Cohoes, except as herein otherwise provided.

§ 11. Six members of said board shall be required to constitute a quorum for the transaction of business, and a majority of the members present shall be sufficient to carry any measure or decide any question before them, except in the filling of vacancies, as specified in the sixth section of this title, and in the selection or change of text-books as provided in the tenth section of this title, and in cases of any resolution or contract appropriating or involving the appropriation of money for any purpose, and in cases of the election of any officer of the board, and the appointment and dismissal of any teacher, when it shall require in each such case the affirmative vote of at least six members.

§ 12. The tuition of the pupils of the several schools under the charge of the board shall be free to all persons between the ages of five and twenty-one years, who are residents of said city and entitled to attend the said schools.

§ 13. It shall be the duty of the chamberlain to annually set apart, as soon as the same is collected, for the use of common schools twenty-five per cent of all moneys raised by the common council in each year, except such moneys as may be raised for extraordinary or special objects or local improvements, and in addition to the amount required to be set apart for the use of the common schools in said city, as aforesaid, the common council of said city shall have the power and it shall be their duty to raise annually by tax to be levied upon all the real and personal estate in said city which shall be liable to taxation for the ordinary city taxes, or for county charges, such sum as shall be required by said board of education, not exceeding one-tenth of one per cent on the assessed valuation of the taxable property in said city. All moneys appropriated and set aside for the use of the common schools shall be apportioned by the board of education to the credit of funds for the following uses and purposes:

1. To hiring school-rooms and school-houses and to purchasing lots and sites for school-houses.

2. To enlarge, alter, improve and repair school-houses and their out-houses and appurtenances, and to improve sites thereof, and for building school-houses.

3. To purchase fuel, also stoves and heaters, and to repair the same.

4. To pay teachers' wages.

5. To pay contingent expenses, including the purchase, exchange, improvement and repair of school apparatus, books, furniture and appendages. But the power herein granted shall not be deemed to authorize the furnishing with text-books any scholar whose parents or guardians shall be able to furnish the same.

§ 14. Whenever the moneys appropriated for the use of the common schools shall be apportioned and credited to specific funds as herein required, they shall not be applied to any other fund or purpose whatever during the then current year, but shall be used solely and exclusively for the purposes so designated.

§ 15. The said board of education shall have power, and it shall be their duty:

1. To establish and organize such and so many schools, including the common schools now existing therein, as they shall deem requisite or expedient, and to alter or discontinue the same.

2. To build, lease or contract for the occupation and use of school-houses or rooms, and to improve the same as they shall deem proper.

3. To alter, improve and repair school-houses and appurtenances as they may deem advisable; but no such alterations, improvements or repairs shall be made upon any building, out-house or appurtenances, unless the same shall be owned by the city of Cohoes, or duly leased by the said board of education for a term of not less than three years.

4. To purchase, exchange, improve and repair school apparatus, books for indigent pupils, furniture and appendages, and to defray their ordinary contingent expenses.

5. To have the custody and safe-keeping of the school-houses, out-houses, books and furniture, and to see that the ordinances of the said board in relation thereto be observed.

6. To contract with, license, and employ all teachers in said schools, and to remove them.

7. To pay the wages of such teachers out of the moneys appropriated and provided by law for the support of schools in said city so far as the same shall be sufficient; and the residue thereof from the moneys authorized to be raised for that purpose by the provisions of this act.

8. To defray the necessary contingent expenses of said board, including the annual salaries of the clerk and the superintendent of the schools.

9. To have in all respects the superintendence, supervision and management of the public schools in said city, and from time to time, to adopt, alter, modify and repeal, as they deem expedient, rules and regulations for their organization, government and instruction; for the reception of pupils, and their transfer from one school to another, and generally for the promotion of their good order, prosperity and public utility.

10. Whenever, in the opinion of the said board, it may be advisable to sell any of the school-houses, lots or sites, or any of the school property now or hereafter belonging to the city, to report the same to the common council.

11. Between the twentieth day of August and on or before the time

fixed therefor by the State Superintendent of Public Instruction in each year, to make and transmit to the State Superintendent of Public Instruction a report in writing bearing date the twenty-first day of August in the year of its transmission, which report shall be in all respects as is required by law of trustees of school districts, and deposit and file the same as required by law. The city of Cohoes shall not be included in any commissioners district heretofore created or authorized to be created or formed by the board of supervisors.

§ 16. The title of the school-houses, sites, lots, furniture, books, apparatus and appurtenances, and all other school property in this title mentioned, shall be vested in the city of Cohoes, and the same, while used or appropriated for school purposes, shall not be levied upon or sold by virtue of any warrant or execution, nor be subject to taxation for any purpose whatever; and the said city, in its corporate capacity, shall be able to take, hold and dispose of any real or personal estate transferred to it by gift, grant, bequest or devise for the use of the public schools of the said city whether the same shall be transferred in terms to said city by its proper style or any other designation, or to any person or persons or body for the use of said schools.

§ 17. The common council of said city may, upon the recommendation of the board of education, sell any of the school-houses, lots or sites, or any other school property now or hereafter belonging to said city, upon such terms as the said board of education may deem reasonable. The proceeds of all such sales shall be paid to the chamberlain of the city, and shall be by the said board of education again expended in the construction, repair or improvements or other school-houses, lots, sites or school furniture, apparatus or appurtenances.

§ 18. The said board of education shall have the power and it shall be their duty to pass such ordinances and regulations as may be necessary and proper for the protection, safe-keeping, care and preservation of the school-houses, lots, sites, appurtenances and appendages, and all necessary property belonging to, or connected with, the schools in said city, and to impose proper penalties for the violation thereof, subject to the restriction and limitation contained in the existing laws relative to said city, and all such penalties shall be collected, in the same manner that penalties for the violation of city ordinances are by law collected, and when collected, shall be paid to the chamberlain of said city, and be subject to the order of the board of education in the same manner as other moneys raised pursuant to the provisions of this title.

§ 19. It shall be the duty of the president of the board of education, within thirty days and not less than fifteen days before the annual election in each year, to make a report to the common council, showing:

1. The number of children between the ages of five and twenty-one years residing in said city on the thirtieth day of June next preceding said report, and the number of scholars between the ages of five and twenty-one years residing in said city who have attended the free schools therein during the preceding year, and the number attending each school, including the evening schools.

2. The number of scholars not residing in said city, but who have attended the common schools therein during the same time.

3. The amount of public moneys received by the city chamberlain applicable to teachers' wages, and the amount applicable to school libraries.

4. The amount of moneys appropriated or set apart by the common council for the use of said schools as required by the provision of this title, and the portions thereof appropriated to the respective funds.

5. The moneys received from the sale of city property.

6. All other sums received by the chamberlain and appropriated to the purposes of the common schools.

7. The manner and purposes for which such sums of money shall have been expended, specifying the amount paid under each head of expenditures, and the amount remaining unexpended, if any, in each fund respectively.

§ 20. The common council shall have power and it shall be their duty to levy and raise for the use of the common schools of said city, at the same time and in the same manner and subject to the same exemptions as highway poll-taxes are levied and raised by this act, a tax of one dollar from each male inhabitant of the age of twenty-one years and upward residing in said city, and the money so raised shall be placed to the credit of the contingent fund of said schools, and all the provisions of title fourteen for the enforcement of the collection of the highway poll-tax shall be applicable to the collection of the school poll-tax hereby authorized.

§ 21. All moneys raised by virtue of this title, which the board of education is authorized to expend, shall be deposited with the chamberlain of the city to the credit of respective funds under the control of the board of education as provided by law, and shall be drawn out in pursuance of a resolution of said board by drafts drawn by the president and countersigned by the clerk of said board, payable to the order of the person or persons entitled to receive such moneys, and accompanied by the affidavit of the claimant, or some one in his behalf, to the correction thereof, in the same manner required by the provisions of this act in the case of accounts audited and allowed by the common council. No part of said school funds shall be borrowed or transferred by the city or its officers in any manner whatever, but shall remain in the treasury solely and exclusively for school purposes. Said board of education, in all their expenditures and contracts, shall have reference to the amount of moneys which shall be subject to their order for any specific object during the then current year, and shall not exceed the amount so provided. In case any debt shall be incurred or contract made by said board of education, or any member thereof, which shall require the expenditure of a greater sum than shall have been provided or appropriated for the use of the public schools, the city shall not be liable for the same, but the members of the board of education voting therefor, or either of them, shall be personally liable therefor to the party entitled to payment.

§ 22. The said board shall have power to allow the children of persons not resident within the city to attend any of the schools of said city, under the care and control of said board, upon such terms as the board shall by resolution prescribe.

§ 23. It shall be the duty of each school commissioner to visit all the public schools under the direction of the board at least once in

each year, and the said board shall also provide that each of said schools shall be visited by a committee of three or more members of the board at least twice in each year.

§ 24. For the purpose of distribution of any money now or hereafter appropriated by the State, for the support of common schools, in which the city of Cohoes or the schools therein shall be entitled to a share, there shall be constituted and shall be as many school districts as there have been employed in said city duly qualified teachers, who, and the successors of whom, shall have taught in the common schools therein for a period during the preceding year of twenty-eight weeks of five school days each, including the holidays allowed by law, and the attendance of a teacher on a teachers' institute within the county. Every evening school taught by a qualified teacher for a period of five months shall be considered as, and shall be, a district.

§ 25. It shall be the duty of the common council, upon the recommendation of the board of education, to take all necessary proceedings in the manner provided by this act for the raising of money for extraordinary or special purposes, to raise money to build or purchase school-houses and to purchase and improve lots or sites therefor. The money so raised, in case it shall be voted by the taxpayers, as provided by this act, shall be paid to and kept by the chamberlain of the city, distinct from other money, and shall be controlled and appropriated by the board of education exclusively to the object or objects for which it shall be raised, and no such money shall be appropriated or expended except by resolution of said board.

§ 26. No member of said board of education shall receive any pecuniary compensation for his services as such member, nor shall any member or officer of the board participate in the profits arising from any transaction or contract entered into by the board or any member thereof as such, or be interested therein in any manner whatever. Any person violating any provision of this section shall be deemed guilty of a misdemeanor.

§ 27. Every contract for work, materials and supplies, or either of them, to be performed or furnished for the benefit and use of said board of education, where the value of such work, materials and supplies, or either of them, shall exceed, in any contract, the sum of twenty-five dollars, shall be awarded by said board to the lowest bidder therefor who shall provide satisfactory security for the faithful performance of his duty under such contract. Whenever it shall be necessary for said board of education to receive bids under the provisions of this section, they shall give reasonable public notice, stating the nature of the work, materials and supplies, or either of them required, and specifying the time and place at which such bids will be received by them, and the security required, which shall accompany each bid; but said board of education shall reserve the right to reject any and all bids pursuant to this section when public interest so requires. This section shall not apply to contracts for services of teachers, nor of the superintendent or clerk of said board of education.

§ 8. From and after the election of said school commissioners, as herein provided, the office of any member or officer of the present board of education of the city of Cohoes is hereby abolished.

§ 9. Section 15 of title 15 of chapter 912 of the Laws of 1869, entitled "An act to incorporate the city of Cohoes," as amended by chapter 60 of the Laws of 1881, is hereby amended so as to read as follows:

§ 15. The common council shall provide a suitable jail, within said city, at an expense not to exceed five hundred dollars per year, which expense shall be a charge against the county of Albany. The said jail shall be under the charge of the board of police commissioners of the city of Cohoes, and the keeper of the station-house shall be the jailor thereof, and shall serve without compensation. All other actual expense of taking charge of and keeping such jail and for feeding prisoners therein shall be a charge against said county. All provisions of law in regard to the Cohoes jail or lock-up shall be applicable to the jail hereby provided for, except as herein otherwise provided. The board of police commissioners of the city of Cohoes shall present to the board of supervisors of the county of Albany each year, by filing the same with the clerk of said board on or before the first day of November, an itemized account of the expense of feeding the prisoners confined in said jail during the year just terminated, together with a statement which shall contain the full name of every prisoner confined therein during the year previous to the presentation thereof or since the presentation of the last preceding statement, the day of the week and month, and the hour of the day when each prisoner was received at the jail, the name of the committing magistrate or court, for what offense committed, and the day and hour of his or her discharge or removal from said jail. Such itemized account and statement shall each be verified by the jailer, and the verification of either thereof by said jailor knowing it to contain false or fraudulent items or statements, or knowing of the omission therefrom of items or statements which should properly appear therein, shall be and constitute the crime of perjury.

§ 10. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

§ 11. This act shall not affect any actions of suits at law now pending against the existing board of education or the city of Cohoes.

§ 12. This act shall take effect immediately.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Greene	Little	Saunders
Ainsworth	Davidson	Groat	Longley	Savery
Andrus	Decker	Guenther	Martin	Saxton
Baker, A. B.	Demarest	Haffner	McAdam	Sheehan
Baker, A. H.	de Peyster	Hamilton	McCarren	Sheldon
Barton	Dinehart	Harwood	McKenzie	Smith, T.
Bauer	Dinkelspiel	Hitt	Mead	Speerry
Blanchfield	Donaldson	Hornidge	Mesick	Sullivan

Brown	Dunham	Hughes	Miller	Towne
Cheney	Edwards	Husted	Moffitt	Van Gorder
Clark, J.	Endres	Kent	Nixon	Walters
Clarke, C. C.	Enz	Kerrigan	Pearsall	Whipple
Comstock	Fitts	Lane	Peck	Yetman
Connelly	Flaherty	Larmon	Roesch	Young
Coon	Gibbs	Le Roy	Ryan	Youngman
Cottrell	Graham	Lewis		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein, as amended.

The bill (No. 533) entitled "An act to provide for recording and indexing instruments affecting land in the city of New York according to city blocks or other limited areas," having been announced for a third reading,

On motion of Mr. Hamilton, and by unanimous consent, the same was amended as follows:

Section 2, line 10, after the word "taken" insert the word "together."

Same section, line 12, strike out the word "commissioners" and insert the words "board of taxes and assessments" in place thereof.

Section 8, line 8, change the word "blocks" to "block."

Same section, line 11, strike out the word "The," first occurring, and insert the word "They" in place thereof.

Same section, lines 13 and 14, strike out the words "with such other matters as may be determined upon by said commissioners."

Section 19, line 4, strike out "instru" and insert "instrument."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dante	Guenther	Loder	Saxton
Ainsworth	Davidson	Haffner	Longley	Schaaff
Andrus	Decker	Hamilton	Maynard	Sheehan
Baker, A. B.	Demarest	Harwood	McAdam	Sheldon
Baker, A. H.	de Peyster	Hitt	McCarren	Smith, M. A.
Barton	Dinehart	Hornidge	Mead	Smith, T.
Bauer	Dinkelspiel	Hughes	Mesick	Sperry
Blanchfield	Donaldson	Husted	Mullaney	Stevens
Brown	Duffy	Kent	Murray	Sullivan
Cheney	Dunham	Kerrigan	Pearsall	Towne
Clark, J.	Edwards	Kimball	Peck	Van Gorder
Clarke, C. C.	Endres	King	Rhodes	Walters
Comstock	Enz	Lane	Roesch	Whipple
Connelly	Fitts	Larmon	Ryan	Yetman
Cottrell	Graham	Le Roy	Saunders	Young
Crosby	Greene	Lewis	Savery	Youngman
Curtis	Groat	Little		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 186) entitled "An act in relation to permits for the burial or other disposition of dead bodies in the town of Newtown, in the county of Queens" (Rec. No. 108), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 59 }
{ NOES 29 }

Those who voted in the affirmative, were

Acker	Cronin	Fitts	Mase	Saxton
Aspinall	Crosby	Flaherty	Maynard	Smith, M. A.
Baker, A. B.	Curtis	Groat	McKenzie	Sperry
Baker, A. H.	Dante	Harwood	McMaster	Stevens
Barton	Davidson	Husted	Mesick	Tefft
Bauer	Decker	Kimball	Miller	Towne
Brown	de Peyster	King	Moffitt	Townsend
Brownell	Dinehart	Lane	Moody	Upson
Clark, J.	Donaldson	Larmon	Nixon	Van Gorder
Comstock	Edwards	Le Roy	Peck	Walters
Coon	Enz	Lewis	Saunders	Whipple
Cottrell	Fish	Longley	Savery	

Those who voted in the negative, were

Blanchfield	Endres	Kent	McLaughlin	Roesch
Cheney	Gibbs	Kerrigan	Miley	Schaaff
Connelly	Graham	Little	Mullaney	Smith, T.
Creamer	Haffner	Martin	Newschafer	Strassburg
Dinkelspiel	Hornidge	McCann	O'Neil	Sullivan
Duffy	Kelly	McCarren	Pearsall	

Mr. Cronin moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 838) entitled "An act to amend chapter 212 of the Laws of 1886, entitled 'An act to provide for the construction of a system of sewerage for the village of West Troy,'" was read the third time.

Mr. Speaker, put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Endres	Le Roy	Rhodes
Andrus	Cottrell	Enz	Loder	Saunders
Aspinall	Cronin	Fitts	Martin	Savery

Baker, A. B.	Crosby	Flaherty	Mase	Saxton
Baker, A. H.	Curtis	Gallup	McKenzie	Sheldon
Barton	Dante	Graham	McLaughlin	Smith, A. M.
Bauer	Davidson	Greene	McMaster	Stevens
Blanchfield	Decker	Groat	Mead	Strassburg
Brown	Demarest	Guenther	Mesick	Tefft
Brownell	de Peyster	Haffner	Miley	Towne
Bush, G. H.	Dinehart	Hamilton	Moffitt	Townsend
Cheney	Dinkelspiel	Hughes	Murray	Upson
Clark, J.	Donaldson	Husted	O'Neil	Walters
Clarke, C. C.	Duffy	Kent	Pearsall	Whipple
Comstock	Dunham	Lane	Peck	Yetman
Connelly	Edwards	Larmon		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 567) entitled "An act making appropriations for the payment of awards made by the Board of Claims, and for other purposes," having been announced for a third reading,

On motion of Mr. Husted, and by unanimous consent, the same was amended as follows:

Add after line 116, end of section 1, the following:

"For the following award made by said Board of Claims, April 10, 1889, under chapter 472 of the Laws of 1886, as follows:

"To Thomas J. Fetherston, as administrator of Thomas Fetherston, deceased, for services performed and materials furnished by said Thomas Fetherston for the quarantine commissioners or officials in the erection of three buildings for hospital purposes, and for other improvements, on West Bank in the harbor of New York, between June 27, 1872, and February 28, 1874, \$8,445.42, and for interest thereon \$84.45."

Section 3, line 2, after the word "claimants" insert the words "or have been paid."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dante	Greene	McCarren	Saunders
Aspinall	Davidson	Groat	McKenzie	Savery
Baker, A. B.	Decker	Hamilton	McMaster	Saxton
Baker, A. H.	Demarest	Harwood	Mead	Schaaff
Barton	de Peyster	Hitt	Mesick	Sheehan
Bauer	Dinehart	Hornidge	Miller	Sheldon
Brown	Dinkelspiel	Hughes	Moffitt	Smith, M. A.
Bush, R. P.	Duffy	Husted	Moody	Smith, T.
Cheney	Dunham	Kent	Murray	Sperry
Clark, J.	Edwards	King	Newschafer	Townsend

Clarke, C. C.	Endres	Lane	O'Neil	Walters
Comstock	Enz	Larmon	Pearsall	Whipple
Coon	Fish	Le Roy	Peck	Yetman
Cottrell	Fitts	Loder	Rhodes	Young
Cronin	Flaherty	Longley	Roesch	Youngman
Crosby	Graham	Martin	Ryan	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 396) entitled "An act to amend chapter 192 of the Laws of 1880, entitled 'An act to incorporate the German Masonic Temple Association of the city of 'New York'' (Rec. No. 157), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Groat	McKenzie	Saunders
Baker, A. B.	Dante	Guenther	McLaughlin	Savery
Baker, A. H.	Davidson	Haffner	McMaster	Saxton
Barton	Decker	Harwood	Mead	Sheldon
Bauer	Demarest	Hornidge	Mesick	Smith, M. A.
Blanchfield	de Peyster	Hughes	Miley	Smith, T.
Brown	Dinehart	Husted	Moffitt	Stevens
Brownell	Dinkelspiel	Kelly	Moody	Sullivan
Bush, R. P.	Duffy	Lane	Murray	Tefft
Cheney	Dunham	Larmon	Newschafer	Towne
Clark, J.	Edwards	Le Roy	Nixon	Upson
Clarke, C. C.	Endres	Little	O'Neil	Van Gorder
Connelly	Fish	Longley	Pearsall	Whipple
Coon	Fitts	Mase	Peck	Yetman
Cottrell	Flaherty	Maynard	Roesch	Young
Creamer	Graham	McCarren	Ryan	Youngman
Crosby				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 657) entitled "An act to amend chapter 373 of the Laws of 1885, entitled 'An act to authorize the village of Middletown, in the county of Orange, N. Y., to establish and maintain a public art gallery and museum,' and supplementary thereto," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Haffner	McCarren	Saxton
Baker, A. B.	Demarest	Hamilton	McKenzie	Sheldon
Barton	de Peyster	Hitt	McMaster	Smith, M. A.
Bauer	Dinehart	Hornidge	Mead	Smith, T.
Brown	Dinkelspiel	Hughes	Miley	Stevens
Bush, R. P.	Duffy	Husted	Moffitt	Strassburg
Cheney	Dunham	Kelly	Moody	Sullivan
Clark, J.	Edwards	Kimball	Murray	Tefft
Clarke, C. C.	Endres	King	Newschafer	Towne
Comstock	Enz	Lane	O'Neil	Townsend
Coon	Fish	Larmon	Pearsall	Upson
Cottrell	Fitts	Le Roy	Peck	Walters
Cronin	Flaherty	Lewis	Rhodes	Whipple
Crosby	Graham	Longley	Roesch	Yetman
Curtis	Greene	Maynard	Saunders	Young
Dante	Groat	McCann	Savery	Youngman
Davidson	Guenther			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 658) entitled "An act to amend sections 2488 and 2489 of the Code of Civil Procedure, relative to the disabilities of surrogates," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Demarest	Hamilton	McLaughlin	Saxton
Baker, A. B.	de Peyster	Harwood	Mead	Schaaff
Baker, A. H.	Dinehart	Hornidge	Mesick	Sheldon
Barton	Dinkelspiel	Hughes	Miley	Stevens
Bauer	Donaldson	Kelly	Miller	Strassburg
Blanchfield	Duffy	Kent	Moffitt	Sullivan
Bush, R. P.	Dunham	Kerrigan	Moody	Tefft
Cheney	Edwards	Kimball	Murray	Towne
Clark, J.	Endres	Lane	O'Neil	Upson
Clarke, C. C.	Enz	Larmon	Pearsall	Van Gorder
Comstock	Fitts	Le Roy	Peck	Walters
Cottrell	Flaherty	Lewis	Rhodes	Whipple
Curtis	Graham	Maynard	Roesch	Yetman
Dante	Greene	McCann	Ryan	Young
Davidson	Groat	McCarren	Saunders	Youngman
Decker	Haffner	McKenzie	Savery	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 659), entitled "An act to amend section 13 of chapter 713 of the Laws of 1887, entitled 'An act to amend chapter 483 of the Laws of 1885, entitled An act to tax gifts, legacies and collateral inheritances in certain cases,'" was read the third time,

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Hornidge	McLaughlin	Schaaff
Baker, A. B.	Demarest	Hughes	Mead	Smith, M. A.
Baker, A. H.	Dinehart	Husted	Mesick	Smith, T.
Barton	Dinkelspiel	Kent	Miller	Sperry
Bauer	Endres	Kimball	Moffitt	Stevens
Blanchfield	Enz	Lane	Moody	Strassburg
Brown	Fish	Larmon	Murray	Sullivan
Brownell	Fitts	Le Roy	O'Neil	Tefft
Bush, R. P.	Flaherty	Lewis	Pearsall	Towne
Clarke, C. C.	Gallup	Little	Peck	Van Gorder
Comstock	Gibbs	Longley	Rhodes	Walters
Connelly	Graham	Martin	Rice	Whipple
Cottrell	Greene	Maynard	Roesch	Yetman
Curtis	Guenther	McCann	Saunders	Young
Dante	Haffner	McCarren	Savery	Youngman
Davidson	Hamilton	McKenzie	Saxton	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 660), entitled "An act to amend sections 1638 and 1639 of the Code of Civil Procedure, defining who may maintain the action, and the contents of the complaint," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dante	Hamilton	McCarren	Saxton
Aspinall	Davidson	Harwood	McKenzie	Smith, M. A.
Baker, A. B.	Decker	Hitt	McMaster	Smith, T.
Baker, A. H.	Demarest	Hornidge	Mead	Sperry
Barton	de Peyster	Hughes	Moffitt	Stevens
Bauer	Dinehart	Husted	Moody	Sullivan
Brown	Duffy	Kent	Murray	Tefft

Brownell	Edwards	Kimball	Newschafer	Towne
Bush, R. P.	Enz	Lane	O'Neil	Upson
Clarke, C. C.	Fish	Larmon	Pearsall	Van Gorder
Comstock	Fitts	Le Roy	Peck	Walters
Connelly	Graham	Loder	Rice	Whipple
Coon	Greene	Longley	Roesch	Yetman
Cottrell	Groat	Martin	Ryan	Young
Creamer	Guenther	Maynard	Saunders	Youngman
Curtis	Haffner	McCann	Savery	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 661) entitled "An act in relation to summary proceedings to remove monthly tenants in the city of Brooklyn for holding over," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Harwood	McCarren	Saunders
Baker, A. B.	Demarest	Hornidge	McKenzie	Savery
Barton	de Peyster	Hughes	McLaughlin	Saxton
Bauer	Dinehart	Husted	McMaster	Sheehan
Blanchfield	Dinkelspiel	Kelly	Mead	Smith, M. A.
Brown	Duffy	Kent	Mesick	Smith, T.
Brownell	Dunham	Kimball	Miley	Stevens
Clarke, C. C.	Edwards	Lane	Moffitt	Strassburg
Comstock	Endres	Larmon	Moody	Sullivan
Connelly	Enz	Le Roy	Newschafer	Tefft
Cottrell	Fitts	Lewis	O'Neil	Van Gorder
Creamer	Graham	Loder	Pearsall	Walters
Cronin	Groat	Longley	Peck	Whipple
Crosby	Guenther	Maynard	Rhodes	Yetman
Curtis	Haffner	McAdam	Rice	Young
Dante	Hamilton	McCann	Roesch	Youngman
Davidson				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 172), entitled "An act to amend section 2395 of the Code of Civil Procedure, relating to foreclosure by advertisement" (Rec. No. 76), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Graham	Little	Rhodes
Baker, A. B.	Dante	Greene	Longley	Rice
Baker, A. H.	Davidson	Groat	Martin	Roesch
Barton	Decker	Guenther	Maynard	Saunders
Bauer	Demarest	Haffner	McCann	Savery
Blanchfield	de Peyster	Haggerty	McCarren	Saxton
Brownell	Dinehart	Hamilton	McKenzie	Smith, M. A.
Cheney	Dinkelspiel	Hitt	McLaughlin	Smith, T.
Clark, J.	Donaldson	Hornidge	Miley	Strassburg
Clarke, C. C.	Duffy	Hughes	Moffitt	Tefft
Comstock	Dunham	Husted	Moody	Towne
Connelly	Edwards	Kelly	Murray	Van Gorder
Coon	Endres	Kent	Newschafer	Walters
Cottrell	Fish	Lane	O'Neil	Whipple
Creamer	Fitts	Larmon	Pearsall	Young
Cronin	Flaherty	Le Roy	Peck	Youngman
Crosby	Gallup	Lewis		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 229), entitled "An act to amend section 440 of the Code of Civil Procedure, in relation to the service of a summons" (Rec. No. 84), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Groat	Martin	Ryan
Baker, A. B.	Dante	Guenther	Maynard	Saunders
Barton	Davidson	Haffner	McCarren	Savery
Bauer	Decker	Haggerty	McLaughlin	Saxton
Blanchfield	Demarest	Hornidge	Mead	Sheldon
Brownell	de Peyster	Hughes	Miley	Smith, M. A.
Bush, R. P.	Dinehart	Husted	Moody	Sperry
Cheney	Dinkelspiel	Kent	Murray	Strassburg
Clark, J.	Donaldson	Kerrigan	Newschafer	Tefft
Clarke, C. C.	Duffy	Lane	O'Neil	Towne
Comstock	Dunham	Larmon	Pearsall	Van Gorder
Coon	Edwards	Le Roy	Peck	Walters
Cottrell	Endres	Lewis	Rhodes	Whipple
Creamer	Enz	Little	Rice	Young
Cronin	Graham	Loder	Roesch	Youngman
Crosby	Greene	Longley		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 254), entitled "An act in relation to an annual report by the Attorney-General, and the printing thereof" (Rec. 105), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Davidson	Hornidge	McCann	Schaaff
Aspinall	Decker	Hughes	McCarren	Sheehan
Baker, A. B.	de Peyster	Husted	McKenzie	Sheldon
Baker, A. H.	Dinehart	Kelly	Mesick	Smith, M.A.
Barton	Dinkelspiel	Kent	Miley	Stevens
Bauer	Duffy	Kerrigan	Moody	Strassburg
Blanchfield	Endres	Kimball	Mullaney	Tefft
Brown	Fish	Lane	Murray	Towne
Bush, R. P.	Flaherty	Larmon	Newschafer	Treadway
Cheney	Gibbs	Le Roy	O'Neil	Upson
Clark, J.	Graham	Lewis	Pearsall	Van Gorder
Clarke, C. C.	Greene	Little	Rhodes	Walters
Comstock	Groat	Loder	Rice	West
Connelly	Guenther	Longley	Roesch	Whipple
Creamer	Haffner	Martin	Ryan	Yetman
Cronin	Hamilton	Maynard	Savery	Young
Curtis	Hitt	McAdam	Saxton	Youngman
Dante				

For the negative,

Crosby

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 662) entitled "An act to provide for the erection of a mole and necessary adjuncts thereto from the dyke to the main land in front of the premises of Edward McCabe on Houghtaling island in the Hudson river," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Hamilton	Mase	Schaaff
Aspinall	Demarest	Harwood	McCann	Sheehan
Baker, A. B.	de Peyster	Hitt	McCarren	Sheldon

Baker, A. H.	Dinehart	Hornidge	McKenzie	Smith, M. A.
Blake	Dinkelspiel	Hughes	McLaughlin	Smith, T.
Blanchfield	Duffy	Husted	McMaster	Sullivan
Bush, R. P.	Dunham	Kelly	Miley	Tefft
Cheney	Endres	Kent	Moffitt	Towne
Clark, J.	Fish	Kerrigan	Moody	Treadway
Clarke, C. C.	Fitts	Lane	Newschafer	Upson
Connelly	Flaherty	Larmon	O'Neil	Walters
Coon	Graham	Lewis	Roesch	West
Cottrell	Greene	Little	Ryan	Whipple
Creamer	Groat	Loder	Saunders	Yetman
Cronin	Guenther	Longley	Savery	Young
Curtis	Haffner	Martin	Saxton	Youngman
Davidson				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 273) entitled "An act in relation to the equalization of real estate in the county of Erie for the purpose of taxation" (Rec. No. 129), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Davidson	Haggerty	McAdam	Saunders
Baker, A. B.	Decker	Hamilton	McCann	Savery
Baker, A. H.	Demarest	Harwood	McCarren	Schaaff
Bauer	De Peyster	Hitt	McKenzie	Sheehan
Blake	Dinehart	Hornidge	McLaughlin	Sheldon
Blanchfield	Donaldson	Hughes	Mead	Smith, M. A.
Brown	Duffy	Kelly	Mesick	Smith, T.
Bush, R. P.	Edwards	Kent	Miley	Strassburg
Clark, J.	Endres	Lane	Moody	Sullivan
Clarke, C. C.	Enz	Larmon	Mullaney	Tefft
Comstock	Fitts	Le Roy	Murray	Treadway
Connelly	Gallup	Lewis	Newschafer	Van Gorder
Coon	Graham	Little	O'Neil	Walters
Cottrell	Greene	Loder	Rhodes	West
Creamer	Groat	Longley	Rice	Whipple
Cronin	Guenther	Mase	Roesch	Yetman
Crosby	Haffner	Maynard	Ryan	Youngman
Curtis				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Husted offered for the consideration of the House a resolution, in the words following:

Resolved, That a respectful message be sent to the Senate requesting the return to the Assembly of Senate bill (No. 343), entitled "An act

to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further power of local legislation and administration, and to regulate the compensation of supervisors, and the acts amending the same'" (Rec. No. 135), for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate.

The bill (No. 663) entitled "An act making an appropriation for rebuilding portions of the canal wall and the culvert between the Oswego canal and the Oswego river, in the city of Oswego," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Davidson	Groat	Longley	Saxton
Aspinall	Decker	Guenther	Martin	Schaaff
Baker, A. B.	Demarest	Haffner	Maynard	Sheehan
Baker, A. H.	Dinehart	Haggerty	McCann	Sheldon
Barton	Dinkelspiel	Hamilton	McCarren	Smith, M. A.
Bauer	Donaldson	Harwood	McKenzie	Smith, T.
Blanchfield	Duffy	Hitt	Mesick	Sperry
Brown	Dunham	Hornidge	Moody	Sullivan
Bush, R. P.	Edwards	Kelly	Mullaney	Tefft
Clark, J.	Endres	Kent	Murray	Van Gorder
Clarke, C. C.	Enz	King	Newschafer	Walters
Comstock	Fish	Lane	O'Neil	West
Connelly	Gallup	Larmon	Pearsall	Whipple
Coon	Gibbs	Le Roy	Rhodes	Yetman
Crosby	Graham	Little	Rice	Young
Curtis	Greene	Loder	Saunders	Youngman
Dante				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 664) entitled "An act to authorize the comptroller of the city of New York to examine the claim of John J. Clarke and to audit and allow the same," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	de Peyster	Hornidge	McKenzie	Saunders
Baker, A. B.	Dinehart	Hughes	McMaster	Savery
Baker, A. H.	Donaldson	Kelly	Mesick	Schaaff

Barton	Duffy	Kent	Miley	Sheehan
Bauer	Dunham	Kerrigan	Moffitt	Sheldon
Blanchfield	Edwards	Lane	Moody	Smith, M. A.
Bush, R. P.	Endres	Larmon	Mullaney	Smith, T.
Clarke, C. C.	Enz	Le Roy	Murray	Strassburg
Comstock	Fish	Lewis	Newschafer	Sullivan
Coon	Gibbs	Little	O'Neil	Tefft
Creamer	Graham	Loder	Pearsall	Towne
Cronin	Groat	Longley	Peck	Upton
Crosby	Guenther	Maynard	Rhodes	Van Gorder
Curtis	Haffner	McAdam	Rice	Walters
Davidson	Hamilton	McCann	Roesch	Whipple
Decker	Hitt	McCarren	Ryan	Youngman
Demarest				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Sheehan moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

The privileges of the floor were extended to the Hon. George Crowley.

Indefinite leave of absence was granted to Mr. Yates.

The Senate bill (No. 132) entitled "An act to amend section 1768 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York'" (Rec. No. 55), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	de Peyster	Harwood	McCann	Savery
Baker, A. B.	Dinehart	Hitt	McCarren	Saxton
Baker, A. H.	Dinkelspiel	Hornidge	McKenzie	Schaaff
Barton	Donaldson	Hughes	McMaster	Sheehan
Bauer	Duffy	Husted	Mesick	Sheldon
Blanchfield	Edwards	Kelly	Miley	Smith, M. A.
Bush, R. P.	Endres	Kent	Moffitt	Smith, T.
Cheney	Enz	Lane	Moody	Strassburg
Clark, J.	Fish	Larmon	Murray	Sullivan
Clarke, C. C.	Fitts	Lewis	O'Neil	Tefft
Comstock	Gibbs	Little	Pearsall	Townsend
Connelly	Graham	Loder	Peck	Walters
Cottrell	Greene	Martin	Rice	Whipple
Davidson	Groat	Mase	Roesch	Young
Decker	Guenther	Maynard	Ryan	Youngman
Demarest	Haffner	McAdam		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 170) entitled "An act requiring certain county treasurers to file statement of sales of lands made by them for delinquent taxes imposed thereon, and providing for the recording of such statements" (Rec. No. 95), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Demarest	Harwood	McKenzie	Savery
Baker, A. B.	de Peyster	Hornidge	McMaster	Saxton
Baker, A. H.	Dinehart	Hughes	Miley	Schaaß
Barton	Dinkelspiel	Kelly	Moffitt	Sheehan
Bauer	Donaldson	Kent	Moody	Sheldon
Blanchfield	Duffy	Kerrigan	Mullaney	Smith, M. A.
Brown	Dunham	Lane	Murray	Smith, T.
Bush, R. P.	Edwards	Larmon	Newschafer	Tefft
Cheney	Endres	Lewis	O'Neil	Towne
Clarke, C. C.	Fish	Little	Pearsall	Treadway
Coon	Fitts	Loder	Peck	Van Gorder
Creamer	Graham	Longley	Rhodes	Walters
Cronin	Greene	Maynard	Rice	Whipple
Crosby	Groat	McAdam	Roesch	Yetman
Curtis	Guenther	McCann	Ryan	Young
Davidson	Haffner	McCarren	Saunders	Youngman
Decker				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 283) entitled "An act to prevent fraud in the manufacture and sale of commercial fertilizers, to provide for a chemical analysis of the same, and to make an appropriation therefor," having been announced for a third reading,

On motion of Mr. Maynard, and by unanimous consent, the same was amended as follows:

Section 1, line 11, strike out the words "the second" and insert the words "each subsequent."

Section 7, line 1, strike out the word "April" and insert the word "July."

Said bill, as amended, was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Davidson	Hamilton	McCarren	Savery
Aspinall	Decker	Harwood	McKenzie	Saxton
Baker, A. H.	Demarest	Hayes	McMaster	Sheehan
Barton	de Peyster	Hitt	Mead	Sheldon
Bauer	Dinehart	Hornidge	Mesick	Smith, M. A.
Blake	Donaldson	Hughes	Miley	Sperry
Blanchfield	Duffy	Kelly	Moffit	Stevens
Brown	Dunham	Kent	Moody	Sullivan
Bush, R. P.	Edwards	Kerrigan	Newschafer	Tefft
Clark, J.	Enz	Lane	O'Neil	Towne
Clarke, C. C.	Fish	Lewis	Pearsall	Treadway
Comstock	Fitts	Little	Peck	Van Gorder
Coon	Gibbs	Loder	Rhodes	Walters
Cottrell	Graham	Longley	Rice	Whipple
Creamer	Greene	Martin	Roesch	Yetman
Cronin	Groat	Maynard	Ryan	Young
Crosby	Guenther	McAdam	Saunders	Youngman
Curtis	Haffner	McCann		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 698) entitled "An act to amend chapter 561 of the Laws of 1881, entitled 'An act authorizing the city of Elmira to issue bonds for the purpose of establishing a permanent system of sewerage in said city, and in relation to the construction of said sewerage, and acts amendatory thereof,' having been announced for a third reading,

On motion of Mr. R. P. Bush, and by unanimous consent, the same was amended as follows:

Page 2, lines 13 and 14, strike out the words "George W. Hoffman, Casper S. Decker, Humphrey O'Brien, Peter Biggs and Hugh C. Hoyt," and insert in lieu thereof the words "and five other citizens of said city who shall be appointed by the mayor, by and with the advice and consent of the common council."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Donaldson	Kerrigan	Moody	Sheldon
Baker, A. B.	Duffy	Lane	Mullaney	Smith, M. A.
Baker, A. H.	Dunham	Larmon	Murray	Smith, T.
Barton	Edwards	Lewis	Newschafer	Sperry
Brown	Endres	Little	O'Neil	Stevens
Bush, R. P.	Enz	Loder	Pearsall	Sullivan
Clark, J.	Fish	Longley	Peck	Tefft

Clarke, C. C.	Fitts	Martin	Rhodes	Towne
Comstock	Gallup	Mase	Rice	Treadway
Coon	Graham	McCann	Roesch	Van Gorder
Cottrell	Greene	McCarren	Ryan	Walters
Curtis	Groat	McKenzie	Saunders	West
Davidson	Guenther	Mead	Savery	Whipple
Decker	Haffner	Mesick	Saxton	Yetman
Demarest	Harwood	Miley	Schaaff	Young
de Peyster	Hughes	Moffitt	Sheehan	Youngman
Dinehart				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Gibbs moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

The bill (No. 700) entitled "An act to amend chapter 113 of the Laws of 1859, entitled 'An act in relation to the common schools in the village of Elmira,' as amended by chapter 50 of the Laws of 1877," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Demarest	Hitt	Mead	Sheehan
Aspinall	Dinehart	Hornidge	Mesick	Sheldon
Baker, A. B.	Dinkelspiel	Hughes	Miley	Smith, T.
Baker, A. H.	Dunham	Husted	Moffitt	Strassburg
Barton	Edwards	Kerrigan	Moody	Sullivan
Bauer	Endres	Larmon	Mullaney	Tefft
Blanchfield	Enz	Lewis	Murray	Towne
Brown	Fish	Little	Newschafer	Townsend
Bush, R. P.	Fitts	Loder	O'Neil	Treadway
Clarke, C. C.	Gallup	Longley	Rhodes	Upson
Comstock	Gibbs	Martin	Rice	Van Gorder
Connolly	Graham	Mase	Roesch	Walters
Coon	Greene	Maynard	Ryan	Whipple
Cottrell	Groat	McAdam	Saunders	Yetman
Crosby	Guenther	McCann	Savery	Young
Curtis	Hamilton	McKenzie	Saxton	Youngman
Davidson	Harwood	McMaster	Schaaff	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Dunham moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

The bill (No. 709) entitled "An act to authorize the board of town

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officers of the town of Northfield, in the county of Richmond, to reopen, maintain and keep open the ditch, water-course or canal opened through the said town of Northfield pursuant to chapter 747 of the Laws of 1869," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Demarest	Hornidge	McMaster	Schaaff
Aspinall	de Peyster	Hughes	Mead	Sheehan
Baker, A. B.	Dinehart	Husted	Mesick	Sheldon
Baker, A. H.	Dinkelspiel	Kelly	Miley	Smith, M. A.
Barton	Duffy	Kent	Moffitt	Smith, T.
Bauer	Edwards	Kerrigan	Moody	Stevens
Blake	Endres	Lane	Mullaney	Sullivan
Blanchfield	Fish	Larmon	Murray	Tefft
Bush, R. P.	Fitts	Lewis	Newschafer	Towne
Cheney	Gallup	Little	O'Neil	Townsend
Clarke, C. C.	Gibbs	Loder	Pearsall	Treadway
Comstock	Graham	Longley	Rhodes	Upson
Connelly	Greene	Martin	Rice	Van Gorder
Coon	Guenther	Mase	Roesch	Walters
Cottrell	Haffner	Maynard	Ryan	Whipple
Crosby	Haggerty	McAdam	Saunders	Yetman
Curtis	Hamilton	McCann	Savery	Young
Davidson	Harwood	McCarren	Saxton	Youngman
Decker	Hitt	McKenzie		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The hour of 10 o'clock having arrived, the House adjourned.

WEDNESDAY, APRIL 17, 1889.

The House met pursuant to adjournment.

Prayer by Rev. C. L. Jackson.

On motion of Mr. dePeyster, the journal of yesterday was approved without being read.

Mr. dePeyster introduced a bill entitled "An act to ratify and confirm the acts of the president and trustees of the village of Tivoli in certain cases" (Int. No. 1198), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. dePeyster, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and printed,

and when printed to be committed to the committee on affairs of villages, retaining its place on the order of third reading.

Mr. Yetman introduced a bill entitled "An act to repeal chapter 489 of the Laws of 1871, entitled 'An act to amend an act, entitled An act to incorporate the village of Tottenville, in the town of Westfield, county of Richmond'" (Int. No. 1199), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Yetman, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and printed, and when printed to be committed to the committee on affairs of villages, retaining its place on the order of third reading.

Also, a bill entitled "An act to extend the time to file maps showing the boundary line between New York and New Jersey, in lands under water in the Arthur Kill, Kill Von Kull and New York Bay" (Int. No. 1200), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Yetman, and by unanimous consent the rules were suspended and said bill ordered to a third reading and printed.

Mr. Dunlap introduced a bill entitled "An act to amend chapter 57 of the Laws of 1888, entitled 'An act to incorporate the Starin Benevolent and Industrial Association of Fultonville and Fonda'" (Int. No. 1201), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Dunlap, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading, and to be read the third time on Friday, April nineteenth.

Mr. Cronin introduced a bill entitled "An act to amend the map or plan of Long Island City, in the county of Queens" (Int. No. 1202), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cronin, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and printed, and when printed to be committed to the committee on affairs of cities, retaining its place on the order of third reading.

Also, a bill entitled "An act to amend chapter 608 of the Laws of 1881, entitled 'An act to amend chapter 303 of the Laws of 1871, entitled An act to amend title 16, chapter 8, part 3 of the Revised Statutes, relative to proceedings for the draining of swamps, marshes and other low or wet lands and for draining farm lands'" (Int. No. 1203), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cronin, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and printed, and referred to the committee on revision.

Also, a bill entitled "An act to extend the time for the completion of the labors of the board of adjustment in the town of Newtown, in the county of Queens, as provided by chapter 129 of the Laws of 1888" (Int. No. 1204), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cronin, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and printed, and referred to the committee on revision.

Also, a bill entitled "An act to amend chapter 461 of the Laws of 1871, entitled "An act to revise the charter of Long Island City'" (Int. No. 1205), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Mead offered for the consideration of the House a resolution, in the words following :

Whereas, The Commissioners of the Land Office have, from time to time, appointed "custodians" of certain islands and lands belonging to the State and lying in the territory now under the jurisdiction of the State Forest Commission; and,

Whereas, Said commissioners of the Land Office have, from time to time, given permission and granted consent to certain parties to erect cottages with the necessary appurtenances upon such islands and lands, and residences and structures have been erected thereon pursuant to such authority and consent; and,

Whereas, There are also a number of occupants of State lands in the Forest Preserve who have taken possession of sites on such lands under a custom continued by long usage; and,

Whereas, The rights and privileges of such "custodians" and occupants have never been defined or established; and,

Whereas, The State receives no revenue from such possession or occupation, and the right of the Commissioners of the Land Office to confer such grants is doubted by the Attorney-General; and,

Whereas, The State Forest Commission has, in its annual reports, called the attention of the Legislature to such existing facts, and has made suggestions and recommendations in reference thereto, but no action thereon has hitherto been taken by the Legislature; and

Whereas, Said State Forest Commission has now the care, custody and control of such islands and lands; therefore, be it

Resolved (if the Senate concur), That the State Forest Commission be instructed to institute legal proceedings to dispossess, oust and eject said "custodians" and occupants from such lands, within one year from the date hereof; and that the erection of cottages and log houses upon State lands within the Forest Preserve, and all occupation of such lands (except for mere temporary purposes), be prohibited.

Ordered, That said resolution be referred to the committee on general laws.

Mr. Peck introduced a bill entitled "An act to amend chapter 282 of the Laws of 1887, entitled 'An act to further amend chapter 75 of the Laws of 1878, entitled An act in relation to the bonded indebtedness of villages, cities, towns and counties, as amended by chapter 317 of the Laws of 1878, and by chapter 244 of the Laws of 1884'" (Int. No. 1207), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Peck, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and printed, and referred to the committee on revision.

Mr. Larmon introduced a bill entitled "An act to amend chapter 206 of the Laws of 1851, entitled 'An act to revise, amend and consolidate the several acts in relation to the village of Salem in the county

of Washington'' (Int. No. 1208), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Larmon, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and referred to the committee on revision.

Mr. Lane introduced a bill entitled "An act to amend chapter 193 of the Laws of 1885, entitled 'An act to amend chapter 202 of the Laws of 1884, entitled An act to prevent deception in the sales of dairy products'" (Int. No. 1209), which was read the first time and by unanimous consent was also read the second time.

On motion of Mr. Lane, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading, and referred to the committee on revision.

Mr. Speaker announced the special order of the day.

The bill (No. 1053) entitled "An act to further amend chapter 606 of the Laws of 1875, entitled 'An act further to provide for the construction and operation of a steam railway or railways in the counties of the State,'" having been announced for a third reading,

Mr. Crosby moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the negative.

Mr. Kimball moved that the special order be laid upon the table.

Mr. Sheehan called for the ayes and noes, which were ordered.

Mr. Speaker put the question whether the House would agree to said motion to lay upon the table, and it was determined in the affirmative.

{ AYES 59 }
{ NOES 54 }

Those who voted in the affirmative, were

Acker	Cottrell	Hughes	Mead	Stevens
Adams	Curtis	Husted	Moffitt	Towne
Ainsworth	Dante	Kimball	Moody	Treadway
Baker, A. B.	Davidson	Lane	Nixon	Upson
Baker, A. H.	Decker	Larmon	Pearsall	Van Gorder
Barton	Donaldson	Le Roy	Peck	Walters
Bauer	Dunlap	Lewis	Saunders	West
Brown	Enz	Loder	Savery	Whipple
Carson	Fitts	Maynard	Saxton	Yates
Cheney	Flaherty	McAdam	Sheldon	Youngman
Clark, J.	Gallup	McKenzie	Smith, M. A.	Speaker
Comstock	Hamilton	McMaster	Sperry	

Those who voted in the negative, were

Andrus	Demarest	Hagan	McCann	Schaaff
Blake	de Peyster	Harwood	McCarren	Sheehan
Blanchfield	Dinkelspiel	Hayes	Miley	Smith, C.
Blumenthal	Duffy	Hitt	Miller	Smith, T.
Bush, R. P.	Dunham	Kelly	Mullaney	Strassburg
Clarke, C. C.	Endres	Kent	Murray	Sullivan
Connelly	Fish	Kerrigan	O'Neil	Tefft
Coon	Gibbs	King	Rhodes	Townsend

Creamer	Greene	Longley	Rice	Yetman
Cronin	Guenther	Martin	Roesch	Young
Crosby	Haffner	Mase	Ryan	

Mr. Miller offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 923, entitled "An act to provide for raising money by tax for lighting the streets by gas or electricity in the city of Cohoes," now on the order of third reading, be read the third time next Tuesday, at 12 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Le Roy offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 924, entitled "An act making an appropriation for the completion of the bridge and the approaches thereto across the Champlain canal at the east end of Ship street in the city of Cohoes," now on the order of third reading, be read the third time next Wednesday morning, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Youngman offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 1000, entitled "An act relating to life insurance companies and their agents doing business in this State," now on the order of third reading, be read the third time on Thursday, April eighteenth, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Sheehan moved that the resolutions offered advancing bills be limited to those bills now in committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Whipple, and by unanimous consent, the committee on the judiciary was discharged from the further consideration of the bill (No. 958) entitled "An act to provide for the welfare of the Indians in this State," and the same was ordered to a third reading, and recommitted to the committee on the judiciary, retaining its place on the order of third reading.

Mr. Pearsall introduced a bill entitled "An act to provide for the construction of fishways in the dam across the Chenango river in the village of Chenango Forks, Broome county, New York, and making an appropriation therefor" (Int. No. 1210), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Pearsall, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and printed, and referred to the committee on revision.

Mr. Brownell offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 1070, entitled "An act to amend

chapter 505 of the Laws of 1873, entitled 'An act to reorganize the village of Gloversville,' and the several acts amendatory thereof," now on the order of third reading, be recommitted to the committee on affairs of villages for a hearing.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. McCarren, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill (No. 944) entitled "An act to amend title one of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' so as to create the Twenty-seventh ward," and the same was ordered to a third reading, and referred to the committee on revision.

On motion of Mr. Graham, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill (No. 1016) entitled "An act to extend the time for the completion of the Hudson Tunnel Railway," and the same was ordered to a third reading, and referred to the committee on revision.

On motion of Mr. McCann, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill (No. 1133) entitled "An act in relation to the taxation of the structures of elevated railroads in cities of less than one million inhabitants," and the same was ordered to a third reading, and referred to the committee on revision.

On motion of Mr. Dunlap, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill (No. 1083) entitled "An act to amend section 7 of chapter 318 of the Laws of 1878, entitled 'An act to amend chapter 466 of the Laws of 1877, entitled An act in relation to assignments of the estates of debtors for the benefit of creditors,'" and the same was ordered to a third reading, and referred to the committee on revision.

On motion of Mr. Crosby, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill (No. 1005) entitled "An act relating to the expenditures of the department of docks in the city of New York," and the same was ordered to a third reading, and referred to the committee on revision.

On motion of Mr. Duffy, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill (No. 1002) entitled "An act to amend section 280 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' concerning penalty for resisting policemen by force, or for falsely personating policemen, or wearing insignia, uniform or distinctive apparel such as are worn by the police," and the same was ordered to a third reading and referred to the committee on revision.

Mr. Sullivan introduced a bill entitled "An act to amend section 3 of chapter 529 of the Laws of 1884, entitled 'An act to make provisions for a public park in the Seventh ward of the city of New York, including therein all necessary alterations of the map or plan of said city, the acquisition of land for such park, and the payment

of all expenses connected therewith from money to be raised by bonds, taxes and assessments for local improvements" (Int. No. 1211) which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Sullivan, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and printed, and when printed to be committed to the committee on affairs of cities, retaining its place on the order of third reading.

On motion of Mr. Hayes, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill (No. 1085) entitled "An act to authorize the fixing of salaries of patrolmen acting as precinct detectives of police in the city of New York," and the same was ordered to a third reading, and referred to the committee on revision.

On motion of Mr. C. C. Clarke, and by unanimous consent, the committee of the whole was discharged from the further consideration of Senate bill No. 50, entitled "An act to grant and release the right, title, interest and estate of the people of the State of New York acquired by escheat in and to certain lands and tenements, situate in the city of New York, to Richard M. Bruno, his heirs and assigns" (Rec. No. 12), and the same was ordered to a third reading.

On motion of Mr. McAdam, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill (No. 1088) entitled "An act to provide for labeling bottles, boxes or other receptacles containing oil or lard, of which cottonseed oil is a component part," and the same was ordered to a third reading, and referred to the committee on revision.

On motion of Mr. Coon, and by unanimous consent, the subcommittee of the whole was discharged from the further consideration of the bill (No. 669) entitled "An act requiring clerks of the counties of this State to execute bonds for the faithful discharge of their duties and to account for and pay over all moneys deposited with them, as such clerks, pursuant to law or the orders of courts," and the same was ordered to a third reading, and referred to the committee on revision.

On motion of Mr. Kimball, and by unanimous consent, the subcommittee of the whole was discharged from the further consideration of the bill (No. 1058) entitled "An act to provide for the revision and codification of the laws for the protection and preservation of fish and shellfish and of birds and quadrupeds," and the same was ordered to a third reading, and referred to the committee on revision.

On motion of Mr. Donaldson, and by unanimous consent, the committee of the whole was discharged from the further consideration of Senate bill No. 272, entitled "An act conferring jurisdiction upon the Board of Claims to hear, audit and determine the claim of John C. Frischknecht against the State" (Rec. No. 124), and the same was ordered to a third reading.

On motion of Mr. Acker, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill (No. 560) entitled "An act to establish a Code of Evidence," and the same was ordered to a third reading, and referred to the committee on revision.

On motion of Mr. McMaster, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill (No. 545) entitled "An act to amend chapter 479 of the Laws of 1887, entitled 'An act prescribing the period in each year during which and the terms under which racing may take place upon the grounds of associations incorporated for the purpose of improving the breed of horses, and suspending the operation of certain sections of the Penal Code,'" and the same was ordered to a third reading, and referred to the committee on revision.

On motion of Mr. R. P. Bush, and by unanimous consent, the subcommittee of the whole was discharged from the further consideration of the bill (No. 900) entitled "An act regulating vaccination in the State of New York," and the same was ordered to a third reading and referred to the committee on revision.

On motion of Mr. Tefft, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill (No. 1007) entitled "An act for the construction of a bridge across South bay, in the county of Washington, and making an appropriation therefor," and the same was ordered to a third reading and referred to the committee on revision.

On motion of Mr. Husted, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill (No. 1081) entitled "An act to improve the sanitary condition of the capitol and making an appropriation therefor," and the same was ordered to a third reading, and referred to the committee on revision.

On motion of Mr. Curtis, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill (No. 1135), entitled "An act to prevent the adulteration of strong or spirituous liquors, wines, ale or beer," and the same was ordered to a third reading, and referred to the committee on revision.

On motion of Mr. Murray, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill (No. 729) entitled "An act to amend chapter 572 of the Laws of 1886, entitled 'An act in relation to certain actions against municipal corporations,'" and the same was ordered to a third reading and referred to the committee on revision.

On motion of Mr. Van Gorder, and by unanimous consent, the subcommittee of the whole was discharged from the further consideration of the bill (No. 1054) entitled "An act to prohibit police officials or their subordinates from being interested in the manufacture or sale of any spirituous or malt liquors, ales, wines or beer, or in the sale of ball or amusement tickets," and the same was ordered to a third reading and referred to the committee on revision.

On motion of Mr. Aspinall, and by unanimous consent, the subcommittee of the whole was discharged from the further consideration of the bill (No. 821) entitled "An act to amend chapter 261 of the Laws of 1888, entitled 'An act to amend chapter 706 of the Laws of 1887, entitled 'An act to provide for the relief of indigent soldiers, sailors and marines and the families of those deceased,'" and the same was ordered to a third reading, and referred to the committee on revision.

Mr. Greene moved to take from the table the motion to reconsider

the vote by which the resolution to suspend Rule 44, for the purpose of reading out of its order Assembly bill No. 948, entitled "An act to incorporate the New York and New Jersey Bridge Company, for the purpose of constructing and maintaining a permanent bridge for passenger and other traffic over the waters between New York city and the State of New Jersey, together with all necessary connections, appurtenances and approaches thereto and stations," was lost.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion to reconsider the vote by which said resolution was lost, and it was determined in the affirmative.

{ AYES 71 }
{ NOES 27 }

Those who voted in the affirmative, were

Acker	Creamer	Harwood	McCarren	Smith, M. A.
Adams	Cronin	Hitt	McLaughlin	Smith, T.
Ainsworth	Curtis	Hughes	McMaster	Sperry
Baker, A. B.	Dante	Husted	Mead	Stevens
Baker, A. H.	Davidson	Kelly	Mesick	Strassburg
Barton	Demarest	Kent	Miley	Sullivan
Bauer	de Peyster	Kimball	Miller	Tefft
Blake	Dunham	Lane	Moody	Towne
Blanchfield	Edwards	Larmon	Murray	Townsend
Brownell	Fitts	Little	Nixon	Treadway
Carson	Flaherty	Longley	Rice	Walters
Cheney	Graham	Mase	Savery	West
Clark, J.	Greene	Maynard	Schaaff	Whipple
Comstock	Guenther	McAdam	Sheldon	Yetman
Cottrell	Haggerty	McCann	Smith, C.	

Those who voted in the negative, were

Andrus	Dinkelspiel	Haffner	Loder	Pearsall
Blumenthal	Duffy	Hagan	Martin	Ryan
Connelly	Dunlap	Hamilton	McKenzie	Sheehan
Coon	Endres	Kerrigan	Mullaney	Van Gorder
Crosby	Gallup	King	Newschafer	Youngman
Decker	Gibbs			

Mr. Speaker then put the question whether the House would agree said motion to suspend Rule 44, and it was determined in the affirmative.

{ AYES 67 }
{ NOES 27 }

Those who voted in the affirmative, were

Adams	Cottrell	Harwood	McCann	Smith, M. A.
Ainsworth	Creamer	Hughes	McCarren	Smith, T.
Baker, A. B.	Curtis	Husted	McLaughlin	Sperry

Baker, A. H.	Dante	Kelly	Mead	Stevens
Barton	Davidson	Kent	Mesick	Sullivan
Bauer	Demarest	Kimball	Miley	Tefft
Blake	de Peyster	Lane	Miller	Towne
Blanchfield	Fitts	Larmon	Murray	Treadway
Brown	Flaherty	Little	Nixon	Upson
Brownell	Graham	Longley	Rice	Walters
Carson	Greene	Mase	Savery	West
Cheney	Groat	Maynard	Schaaff	Yates
Clark, J.	Guenther	McAdam	Smith, C.	Yetman
Comstock	Haggerty			

Those who voted in the negative, were

Andrus	Dinkelspiel	Haffner	Martin	Pearsall
Blumenthal	Duffy	Hagan	McKenzie	Rhodes
Connelly	Dunlap	Hamilton	McMaster	Ryan
Coon	Endres	Kerrigan	Mullaney	Sheehan
Crosby	Gallup	King	Newschafer	Youngman
Decker	Gibbs			

The bill (No. 948) entitled "An act to incorporate the New York and New Jersey Bridge Company, for the purpose of constructing and maintaining a permanent bridge for passenger and other traffic over the waters between New York city and the State of New Jersey, together with all necessary connections, appurtenances, and approaches thereto and stations," having been announced for a third reading,

Mr. Greene moved to amend as follows:

Section 19, strike out lines 1 and 2, and line 3 to and including the word "with," and after the word "stations" in line 8, insert the words "subject to the approval or disapproval of the Governor of the State and the mayor of the city of New York, which approval or disapproval shall be made within thirty days after written notice shall be given to them by said commissioners of the location of the New York terminus of said bridge. In default of the action of the Governor and mayor within the time specified, the location made by the said commissioners shall be final. In the event of the disapproval of the location made by said commissioners, by the Governor and mayor, said commissioners shall relocate said bridge, and such relocation shall be final.

Same section, line 9, strike out the words "which location shall not be changed."

Same section, line 10, strike out the word "five" and insert the word "three."

Same section, line 11, after the word "and" insert the words "in case said bridge company shall take, use or occupy any of the streets or property of the said city of New York, said company shall pay annually into the treasury of said city one per cent of its gross earnings; and said commissioners."

Mr. Creamer moved to amend as follows:

Section 18, line 15, after the word "year" insert the words "the board of estimate and apportionment of the city of New York shall fix an amount of percentage of the gross receipts of said bridge which shall be paid into the city treasury."

Section 19, strike out all down to the name "Andrew," in line 3.

Same section, line 5, after the name "Vail" insert the words "the mayor, commissioner of public works and the comptroller."

Mr. Greene moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Creamer, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Greene, and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 64 }
{ NOES 48 }

Those who voted in the affirmative, were

Adams	Comstock	Guenther	Maynard	Sheldon
Ainsworth	Cronin	Haggerty	McAdam	Smith, C.
Baker, A. B.	Curtis	Harwood	McCann	Smith, M. A.
Baker, A. H.	Dante	Hughes	McCarren	Smith, T.
Barton	Davidson	Husted	McLaughlin	Stevens
Bauer	Decker	Kelly	Mead	Sullivan
Blake	Demarest	Kent	Miley	Tefft
Blanchfield	Donaldson	Kimball	Miller	Towne
Brown	Dunham	Lane	Nixon	Treadway
Brownell	Flaherty	Larmon	Pearsall	Walters
Carson	Graham	Lewis	Rice	West
Clark, J.	Greene	Longley	Savery	Yetman
Clarke, C. C.	Groat	Mase	Schaaff	

Those who voted in the negative, were

Acker	de Peyster	Haffner	McKenzie	Saxton
Andrus	Dinkelspiel	Hagan	McMaster	Sheehan
Aspinall	Duffy	Hamilton	Moody	Sperry
Blumenthal	Dunlap	Hitt	Mullaney	Strassburg
Cheney	Edwards	Kerrigan	Peck	Upson
Connelly	Endres	King	Rhodes	Van Gorder
Coon	Fish	Le Roy	Roesch	Yates
Cottrell	Fitts	Little	Ryan	Young
Creamer	Gallup	Loder	Saunders	Youngman
Crosby	Gibbs	Martin		

Mr. Greene moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate bill (No. 569) entitled "An act to provide for the erection of a State armory at Niagara Falls, N. Y., and making an appropriation therefor" (Rec. No. 252), having been announced for a third reading,

Mr. Little moved to amend as follows:

Section 1, line 4, strike out the words "village of Niagara Falls," and insert the words "city of Lockport."

Same section, line 5, strike out the words "Forty-second separate" and insert the words "company to be organized."

Section 2, line 5, strike out the words "village of Niagara Falls," and insert the words "city of Lockport."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 71 }
{ NOES 18 }

Those who voted in the affirmative, were

Adams	Decker	Harwood	Miley	Schaaff
Aspinall	Denarest	Hughes	Miller	Sheehan
Baker, A. H.	de Peyster	Husted	Moffitt	Smith, T.
Barton	Dinkelspiel	Kent	Moody	Sperry
Blake	Dunham	Larmon	Murray	Strassburg
Blanchfield	Edwards	Le Roy	Nixon	Tefft
Carson	Fish	Lewis	O'Neil	Towne
Cheney	Fitts	Little	Peck	Townsend
Connelly	Gibbs	Longley	Rhodes	Van Gorder
Cottrell	Graham	Mase	Rice	Walters
Creamer	Greene	McCann	Roesch	Whipple
Cronin	Groat	McCarren	Ryan	Yates
Curtis	Guenther	McKenzie	Saunders	Young
Dante	Haggerty	Mead	Savery	Youngman
Davidson				

Those who voted in the negative, were

Acker	Blumenthal	Hitt	Loder	Pearsall
Ainsworth	Crosby	Hornidge	McAdam	Sheldon
Andrus	Gallup	Kerrigan	Mullaney	Sullivan
Bauer	Haffner	King		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 824) entitled "An act to amend chapter 458 of the Laws of 1884, entitled 'An act to provide additional accommodations for the common schools in the city of New York,' as amended and extended by chapter 494 of the Laws of 1885, chapter 456 of the Laws of 1886, and chapter 136 of the Laws of 1888," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 87 }
 { NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Hitt	McLaughlin	Sheehan
Ainsworth	Davidson	Hughes	Mesick	Sheldon
Baker, A. B.	Decker	Husted	Miley	Smith, M. A.
Baker, A. H.	de Peyster	Kelly	Moffitt	Smith, T.
Bauer	Dinkelspiel	Kent	Moody	Sperry
Blake	Duffy	King	Murray	Strassburg
Blanchfield	Dunham	Lane	Nixon	Sullivan
Blumenthal	Dunlap	Larmon	O'Neil	Tefft
Brown	Edwards	Le Roy	Pearsall	Towne
Bush, R. P.	Fish	Lewis	Peck	Townsend
Cheney	Fitts	Little	Rhodes	Upson
Clark, C. C.	Flaherty	Loder	Rice	Van Gorder
Comstock	Gibbs	Longley	Roesch	Walters
Connelly	Guenther	McAdam	Ryan	Whipple
Coon	Haffner	McCann	Saunders	Yates
Cottrell	Haggerty	McCarren	Savery	Young
Creamer	Harwood	McKenzie	Schaaff	Youngman
Crosby	Hayes			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act making appropriation for the support of government," with a message that they have consented to the appointment of a committee of conference thereon, and have appointed as such committee Senators Sloan, Arnold and Linson.

Mr. Husted speaking to a question of privilege, said :

Mr. Speaker, I rise, sir, to do an act of justice to the stenographer of this House. I read from the *New York Sun*, to-day, an editorial headed "A State advertising journal."

[Mr. Husted here read the article referred to, from the *Sun* of Wednesday, April seventeenth.]

Mr. Speaker, I hold in my hands the Legislative Record of April tenth, the date referred to in this paper, and there is nothing on any page of it which shows any advertisement of any kind. There is a paper published in New York city which comes out once a week or once a month, but how often I do not know, and my impression is they must have made a mistake and taken that Legislative Record for this Legislative Record. I have no doubt that is so. At all events I propose to show the Legislative Record here, and there is no book spoken of in it and no advertisement of a book. We have an honest stenographer and a gentleman, and I propose to defend him when he is unjustly assailed. That is all I have to say.

Mr. Sullivan speaking to a question of privilege, said :

It is in relation to an article in the *New York Sun*, and it is headed: "How is this, Assemblymen? Inspector Byrnes says that one of you is a chum of thieves. It is Dry Dollar Sullivan, of New York, and the head of the detective force in New York says that he is a scoundrel."

Now, Mr. Speaker and gentlemen of this House, I did not wish to

get into any controversy with Mr. Byrnes or anybody else. The first I knew of any statements being made by myself against Mr. Byrnes was Monday evening, when Mr. Alvord, of the *New York Herald*, approached me and asked me concerning certain statements which he said were made and were told to him in relation to an arrest in a saloon in which I am interested, for a violation of the excise law, by which it was claimed that this was done to coerce me in voting for Mr. Byrnes' bill or the Murphy bill, so known. I told Mr. Alvord at the time that I had nothing to say about the matter; and I said nothing to any newspaper reporter at all about the matter; I simply made the statement concerning the arrest to the members of the Assembly, and that is all. Yesterday's *Sun* and other papers published long articles which looked, at least it looked to me, as if I had risen to a question of privilege and made a statement concerning this arrest in New York city, and charging Mr. Byrnes with it. I never did anything of the kind; but as Mr. Byrnes has chosen to attack me I must defend myself. I will read the article, if the House will grant me the privilege:

"How's this Assemblymen? Inspector Byrnes says one of you is a chum of thieves. It is Dry-Dollar Sullivan, of New York, and the head of the detective force of New York says that he is a scoundrel.

"Inspector Byrnes said yesterday that Assemblyman 'Dry-Dollar' Sullivan's statement at Albany that the police had pulled two of his three saloons in this city on Sunday last, because he had objected to a bill Inspector Byrnes wanted passed, was totally untrue. He did not even know of the arrests until he read them in the morning papers. His department had nothing to do with excise arrests. Furthermore, Sullivan's statement that this was the first time that an arrest had been made in his saloons was also untrue, for the records showed that on March third Michael Costello, a bartender in Sullivan's saloon at 116 Centre street, was taken to the Tombs court for violation of the excise law. Then the head of the detective force delivered himself as follows concerning Mr. Sullivan, of the Assembly committee on military affairs and subcommittee of the whole."

Now, in relation to that part of the article, all I can say is this: I never made any statement that no arrest had ever been made in my place before for violation of the excise law. So that is untrue.

"Timothy D. Sullivan, better known as 'Dry-Dollar' Sullivan, associates in New York with thieves and disreputable citizens. Peter Barry, one of the leaders of the famous Whyo gang, was one of his boon companions. Barry is now serving seven years in State prison. Tommy McAveney, general thief, is another chum of Sullivan's. Some time ago, when Tommy Nichols and John Clark were arrested for burglary, Sullivan tried his hardest to get Cottrell, one of my detectives, to make it light for them. Sullivan also associated with Johnny Hand, Danny Lyons, James *alias* Figs Lyons, James Pye and Dan Driscoll, hanged for murder, and dozens of other criminals."

Now, in relation to that part of the article, all I can say is this: If Mr. Cottrell or any other policeman says I ever approached him to make it light for any thief, he is a liar; if Inspector Byrnes says I did, he is a liar. In regard to Peter Barry, he was a Sixth ward boy. I think I went to school with him; I am not quite sure. I know every-

body in my district; it is a small one. There are only 7,900 voters. I was born and brought up there. If one of them went bad and turned thief, I could not help that. If he met me on the street, I would not throw a stone at him; I would say "good day." But as to associating with him, that is a lie. Johnny Hand I knew by sight; that is all. Danny Lyons I never knew in my life; I never spoke to him. James *alias* Figs Lyons I knew by sight. Pye I never knew in my life, only I know he is in business in the Fourteenth ward; that is all I know of him. Driscoll was a Sixth ward boy, born and brought up there. I certainly knew him as I know everybody else, but as far as associating with him is concerned, that is a lie.

"The bill in question now before the Legislature," the Inspector said, "did not originate with me. Five or six weeks ago a Senator and I were in conversation. The talk turned to the crowds that would be here during the centennial celebration. I told the Senator that thieves from all over the country would be on hand and that it would be a good thing if a bill should be introduced authorizing the police to arrest professional thieves where they were found loitering, acting suspiciously on the public highways or attempting to ply their vocation in large gatherings of people, if it could be explained to the court that the persons so arrested were guilty of a misdemeanor, so that they could be held. Such a bill as this was introduced and passed unanimously in the Senate. It went to the judiciary committee in the Assembly and lay there without that committee attempting to report upon it. I then heard from thieves that Sullivan was doing all he could to kill the bill in their interest. I spoke to an Assemblyman here, and the following week the chairman, Mr. Saxton, telegraphed me that he would like to have me come to Albany and appear before the judiciary committee on the bill. I did so. I told the committee that I had heard through thieves and disreputable citizens in New York that that class were collecting money for the purpose, if possible, of defeating the passage of the bill. It lay in the committee until the latter part of last week, when it was reported favorably. Ten of the eleven members of the committee voted for it. Chairman Saxton was absent. The moment it got into the House Sullivan and others objected to it. The others withdrew their objection upon learning the merits of the bill, but Sullivan's objection was enough to delay action. Sullivan stated upon the Assembly floor to a number of his fellow legislators that thieves were his friends, and that he was going to protect them in every way he could; that if this bill went through it would injure his business. An Assemblyman told him he was making a mistake. He laughed and answered: 'Come down to my district and I'll show you how they rob men.'"

Now, in regard to that section of the article, all I can say is this, that I would like to know the thieves that told Byrnes that they had me interested in a bill. I would like to have their names. I would like also to see the member here who said I was making a mistake, when I said I was there to protect thieves, and "come down to my district and I will show you how they rob men," implying that I was here in the interest of thieves opposing this bill and that I could show them thieves in my district robbing men; as much as to say that I agreed with them that they ought to rob men. I guess everybody

here will give me credit for having more sense than that. Still, for all that, I would like to have some man here say that I said "Come down to my district and I will show you how they rob men." I would like to have the member state that.

"His place," Inspector Byrnes went on, "is well known locally, and he wanted to advertise to all thieves that it would be a headquarters, a rendezvous for them, during the centennial celebration. This bill is intended to protect respectable people against depredations of thieves. New York has become a big receptacle for all kinds of criminals. It was only on last Friday that James Ferris, when arraigned for trial for robbing the St. Charles hotel, told the judge that the Boston authorities paid his fare here and put an officer aboard the train with him. Under the present law bunco steerers have as good a right on Broadway as you or I. I have arrested them time and time again, only to have them discharged by the magistrate. "It is nothing to Sullivan's discredit that he was a bootblack in the Fourth ward station-house when Superintendent Murray was a captain there, but it's a disgrace to this city to have a scoundrel like him helping to make laws for it."

In regard to being a bootblack, I admit all of that. In regard to being a scoundrel, if Mr. Byrnes says so, he is a liar, and if it was on the street I would use more forcible language.

I think I owe it to the House—I am not looking for sympathy; I do not care about telling my past life—but I think I owe it to this House to give a statement of my life, and to show you that you have not been sitting with a man who has been a chum of thieves, and, as this article would imply, an accessory of thieves. My father died when I was four years old. I am speaking of this so the newspapers may take it and put it in the paper and prove whether I am telling the truth or not. My father died when I was four years old, leaving me the second youngest of four children. My mother struggled along the best she could, but when I was between six and seven years old, not quite seven, I had to go down town and help to keep the rest of us together, sell newspapers, and one thing and another; attend public school until 3 o'clock, and then go down and sell the daily newspapers. I did that until I was about eight years old. Then I went to work on the *Commercial Advertiser* as a fly-boy. I worked there for six years or probably more, which any man now on the paper can prove. I will refer to Mr. Robert Hastings; he is alive yet; his brother Hugh has died since. Or I will refer to Thomas Quinn, now manager of the delivery department; he has known me all my life. Later I worked on the *Mail and Express*—the *Evening Mail*; and I will refer there to Mr. Charles Flannigan, who has charge of the delivery department. He has worked with me since I was eight years old. I also worked on the *Daily Graphic*; I will refer to George Knight, in charge of the mailing department of the *Graphic*. I worked also on the *Morning Journal*. I can prove since I was seven years old until the day before I came to the Legislature that I never lost two days work in my life, never in my life. I worked on the *Morning Journal* until about three months before I was elected to the Legislature; on the *Star* until the very morning of the Legislature; and worked the night before on the *New York Star*. Now, I do not think

I have much time to associate with thieves. I do not think thieves have much use for me, either. I did not have enough money to spend with them. All I can say is I do not think this article is fair in any way. I refer to the gentlemen on the different newspapers to prove everything I say is true.

Pursuant to a resolution of the Assembly, the Senate returned the Senate bill (No. 343) entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further power of local legislation and administration, and to regulate the compensation of supervisors,' and the acts amending the same." (Rec. No. 135.)

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Davidson	Hagan	McCann	Saunders
Adams	Decker	Harwood	McCarren	Savery
Ainsworth	Demarest	Hitt	McKenzie	Saxton
Aspinall	de Peyster	Hughes	McLaughlin	Schaff
Baker, A. H.	Dinkelspiel	Husted	McMaster	Sheehan
Barton	Donaldson	Kelly	Mead	Smith, M. A.
Bauer	Duffy	Kent	Mesick	Smith, T.
Blanchfield	Dunham	Kerrigan	Moffitt	Sperry
Blumenthal	Dunlap	Kimball	Moody	Stevens
Brownell	Edwards	Lane	Mullaney	Tefft
Bush, R. P.	Endres	Larmon	Murray	Upson
Carson	Fish	Lewis	Nixon	Van Gorder
Cheney	Fitts	Little	O'Neil	Walters
Clark, J.	Gibbs	Loder	Pearsall	West
Clarke, C. C.	Graham	Longley	Peck	Whipple
Comstock	Groat	Martin	Rice	Yates
Creamer	Guenther	Maynard	Roesch	Young
Cronin	Haffner	McAdam	Ryan	Youngman
Crosby				

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. Husted, and by unanimous consent, the same was amended by adding at the end of section 1 the following:

"No fire district in any unincorporated village in this State shall extend in any direction to exceed one mile from the nearest engine-house, hose-house or hook and ladder house located within the limits of such unincorporated village, nor shall any property be entitled to the protection of, or liable to be assessed or taxed for, the support of any fire department of such village unless the same lies wholly within the fire district established by this act."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Creamer	Guenther	Maynard	Saunders
Ainsworth	Cronin	Haffner	McAdam	Savery
Aspinall	Crosby	Hagan	McCann	Saxton
Baker, A. B.	Curtis	Haggerty	McCarren	Schaaff
Baker, A. H.	Davidson	Harwood	McKenzie	Sheehan
Barton	Decker	Hayes	McLaughlin	Smith, M. A.
Bauer	Demarest	Hitt	McMaster	Sperry
Blake	Dinkelspiel	Hughes	Mesick	Stevens
Blanchfield	Donaldson	Husted	Miley	Sullivan
Blumenthal	Dunham	Kelly	Moffitt	Tefft
Brown	Edwards	Kent	Moody	Towne
Brownell	Endres	Kimball	Murray	Townsend
Bush, R. P.	Enz	Lane	O'Neil	Van Gorder
Carson	Fish	Larmon	Pearsall	Walters
Cheney	Fitts	Le Roy	Peck	West
Clark, J.	Gallup	Little	Rhodes	Whipple
Clarke, C. C.	Gibbs	Loder	Rice	Yates
Comstock	Graham	Longley	Roesch	Youngman
Connelly	Groat	Martin	Ryan	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with an amendment.

Mr. Peck, from the subcommittee of the whole, presented a report in writing ; which was laid upon the table and ordered printed.

(See Doc. No 96.)

The Senate returned the concurrent resolutions, recalling from the Governor, for the purpose of amendment, the following entitled bills, with a message that they have concurred in the passage of the same:

"An act to legalize and confirm the action of the legal voters of the town of Lewisboro, in the county of Westchester, taken at their annual town meeting held March 26, 1889, in voting to raise money by tax to pay for working and repairing the highways and bridges in said town during the year 1888." (Int. No. 1146.)

"An act to enable the board of education of Union Free School District No. 1 of the city of Rome, to raise money for extraordinary or special purpose by giving notice thereof by publication in newspapers of the city, of an election to be held, instead of by serving a personal notice upon the qualified voters of said district. (No. 518.)

Ordered, That the Clerk deliver said resolutions to the Governor.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

"An act to amend chapter 385 of the Laws of 1862, entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady, as amended by chapter 255 of the Laws of 1886.'", (No. 434.)

"An act to amend section 4 of chapter 368 of the Laws of 1884, entitled 'An act to regulate the manner of contracting, auditing and paying certain charges against the county of Albany.'" (No. 242.)

Ordered, That the Clerk deliver said bills to the Governor.

The Speaker presented a communication from Andrew H. Green, president of the Commission of the State Reservation, at Niagara, relative to the bill entitled "An act to authorize the Niagara Hydraulic Electric Company to erect machinery under the Niagara falls for the purpose of utilizing the water power of said falls for manufacturing electricity, and to erect the necessary machinery for the same" (No. 1093); which was committed to the committee of the whole.

Also, a communication from the president of the State Board of Charities, relative to the chronic pauper insane; which was committed to the committee of the whole.

The privileges of the floor were extended to Hons. William P. Moores and James Oliver.

Mr. Crosby presented a petition from the Society for Promoting the Welfare of the Insane relative to the convicts in State prisons; which was referred to the committee on State prisons.

The Senate returned the bill entitled "An act to amend chapter 298 of the Laws of 1883, entitled 'An act to provide for the government of the city of Albany.'" (No. 160.)

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the Senate bill entitled "An act in relation to the salary of the supervisor-at-large of Kings county" (Rec. No. 123), with a message that they have concurred in the amendments of the Assembly thereto.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the concurrent resolution returning to the Governor, without amendment, Assembly bill No. 514, entitled "An act to authorize the treasurer of the city of Buffalo to return to the Comptroller before May 1, 1889, the consolidated school and district school fund rolls of 1888, received before March 1, 1889, without publication or interest, or making a transcript thereof," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Whipple, the House adjourned.

THURSDAY, APRIL 18, 1889.

The House met pursuant to adjournment.

No clergyman present.

On motion of Mr. Yates, the journal of yesterday was approved without being read.

Mr. Yates offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 818, entitled "An act reappropriating three thousand dollars to provide for the protection and improvement of the public health by the removal of the obstructions

from the bed of Mill creek in the vicinity of the Erie canal culvert in the city of Schenectady," now on the order of third reading, be read the third time on Tuesday, at 12 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Peck offered for the consideration of the House a resolution, in the words following:

Whereas, It appears that certain towns or villages in the State have heretofore conveyed certain real estate to the State for normal school purposes, in consideration of there being maintained in the normal schools academic departments for the use and benefit of said towns; and,

Whereas, Such academic departments are being maintained in the normal schools to the disadvantage of other academic interests, while they interfere with the legitimate work of the normal schools in training teachers for the public schools,

Resolved (if the Senate concur), That a committee of two senators and three members of Assembly be appointed by the presiding officers of the respective houses to visit the several normal schools having academic departments, if necessary, and advise with the public authorities of any town or village or other persons having an interest in such alleged agreements and ascertain upon what terms or in what manner the State can be relieved from agreements of such nature which may have been entered into, to the end that the several normal schools may be exclusively devoted to the professional training of teachers for the public schools, and that said committee also report to the next Legislature their own conclusions and recommendations in the premises.

Said resolution giving rise to debate,

Ordered, That the same be laid upon the table.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That when this Legislature adjourns on Thursday, the eighteenth instant, it adjourn to meet on Monday, April twenty-second, at 8.15 o'clock P. M.

Mr. Van Gorder moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 226, entitled "An act to amend section 2 of chapter 358 of the Laws of 1862, entitled 'An act to incorporate the American Missionary Association,' and further to amend section 4 of the said act as amended by chapter 796 of the Laws of 1871, and by chapter 52 of the Laws of 1886" (Rec. No. 85), for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be

sent to the Governor, requesting the return to the Senate of Senate bill No. 268, entitled "An act to authorize the Board of Claims to hear, audit and determine the claims of Salmon Tuttle against the State, for property taken and damages to other property caused by the State, and for loss incurred or growing out of the enlargement of the Erie canal, and to make an award therefor" (Rec. No. 110), for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker called from the table the report of the subcommittee of the whole (Assem. Doc. No. 96), in favor of the passage of the following entitled bills:

Senate 133, Int. No. 64, "An act to authorize the conveyance of real property by religious corporations."

Int. 31, No. 679, "An act to close part of the old Bushwick road or avenue in the city of Brooklyn."

Int. 453, No. 589, "An act providing the manner in which the compensation of overseers of the poor of the several towns in this State shall be fixed."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bills ordered to a third reading and referred to the committee on revision.

Mr. Haggerty offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 843, entitled "An act to amend sections 1141, 1142, 1143 and 1146 of the Code of Civil Procedure, relating to the drawing of jurors in Kings county," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate bill (No. 637), entitled "An act to amend chapter 53 of the Laws of 1879, entitled 'An act to revise the charter of the city of Auburn, and the several acts amendatory thereof'" (Rec. No. 262), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Haffner	Mead	Sheldon
Adams	Crosby	Hamilton	Mesick	Smith, T.
Ainsworth	Curtis	Harwood	Miley	Sperry
Andrus	Davidson	Hitt	Miller	Stevens

Baker, A. B.	Demarest	Husted	Moffitt	Strassburg
Baker, A. H.	Dinehart	Kimball	Moody	Treadway
Bauer	Dinkelspiel	Lane	Murray	Upson
Blake	Donaldson	Lewis	Pearsall	Van Gorder
Blanchfield	Dunham	Little	Peck	Walters
Blumenthal	Edwards	Longley	Rhodes	West
Bush, R. P.	Endres	Martin	Rice	Whipple
Carson	Fitts	Maynard	Roesch	Yates
Cheney	Gibbs	McAdam	Ryan	Yetman
Comstock	Greene	McCarren	Saunders	Young
Connelly	Groat	McKenzie	Savery	Youngman
Cottrell	Guenther	McMaster	Schaaff	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1022) entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' relating to assessments," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Greene	McMaster	Savery
Adams	Dante	Groat	Mead	Schaaff
Ainsworth	Davidson	Guenther	Mesick	Smith, C.
Baker, A. H.	Decker	Haffner	Miley	Smith, M. A.
Bauer	Demarest	Haggerty	Miller	Smith, T.
Blake	de Peyster	Hamilton	Moffitt	Sperry
Blanchfield	Dinehart	Harwood	Moody	Stevens
Blumenthal	Dinkelspiel	Husted	Mullaney	Tefft
Carson	Donaldson	Kerrigan	Murray	Treadway
Clark, J.	Edwards	Kimball	O'Neil	Upson
Clarke, C. C.	Endres	Lewis	Pearsall	Van Gorder
Comstock	Fish	Little	Peck	West
Connelly	Fitts	Loder	Rhodes	Whipple
Coon	Flaherty	Longley	Rice	Yates
Cottrell	Gallup	Martin	Roesch	Young
Crosby	Gibbs	Maynard	Saunders	Youngman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Groat, and by unanimous consent, the bill (No. 1093), entitled "An act to establish and settle the bulk-head and pier line along the East river at Long Island City and Ravenswood, in the port of New York," was ordered to be read the third time on Tuesday, April twenty-third, immediately after the reading of the journal.

By unanimous consent,

Mr. Coon gave notice that on some future day he would

move to suspend Rule 44, in order that Assembly bill No. 548, entitled "An act to secure to children the benefits of an elementary education, and making an appropriation therefor," now on the order of third reading, may be read out of its order.

By unanimous consent,

Mr. Cottrell introduced a bill entitled "An act to amend chapter 106 of the Laws of 1882, entitled 'An act to amend chapter 200 of the Laws of 1835, entitled An act to incorporate the village of Angelica, and the several amendments thereto,' as amended by chapter 89 of the Laws of 1887, relating to street commissioners and village assessors" (Int. No. 1212), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cottrell, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and to be read the third time on Friday, April nineteenth.

The Senate bill (No. 538) entitled "An act to amend section 422 of chapter 676 of the Laws of 1881, entitled 'An act to establish a Penal Code,' relating to position of cars in passenger trains" (Rec. No. 191), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dante	Groat	McAdam	Savery,
Adams	Davidson	Guenther	McCarren	Saxton
Baker, A. B.	Decker	Haffner	McKenzie	Schaaff
Baker, A. H.	Demarest	Hamilton	Mead	Sheldon
Bauer	Dinehart	Harwood	Miley	Smith, M. A.
Blake	Dinkelspiel	Hitt	Miller	Smith, T.
Blumenthal	Donaldson	Husted	Moffitt	Strassburg
Brownell	Dunham	Kent	Moody	Tefft
Bush, R. P.	Edwards	Kerrigan	Mullaney	Van Gorder
Carson	Endres	Kimball	O'Neil	Walters
Cheney	Enz	Lewis	Pearsall	West
Comstock	Fish	Little	Peck	Whipple
Coon	Fitts	Loder	Rhodes	Yates
Cottrell	Flaherty	Longley	Roesch	Yetman
Creamer	Gibbs	Martin	Ryan	Young
Crosby	Greene	Maynard	Saunders	Youngman
Curtis				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 70) entitled "An act to provide for suitable buildings and accommodations for the zoological collection in the Central park in the city of New York" (Rec. No. 66), was read the third time.

Mr. Speaker put the question whether the House would agree to

the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 72 }
{ NOES 21 }

Those who voted in the affirmative, were

Acker	Davidson	Hamilton	McLaughlin	Saxton
Ainsworth	Decker	Hitt	Mead	Sheldon
Andrus	Demarest	Husted	Mesick	Smith, C.
Aspinall	de Peyster	Kerrigan	Miley	Smith, M. A.
Baker, A. B.	Dinehart	Kimball	Miller	Smith, T.
Baker, A. H.	Dinkelspiel	Lane	Moody	Sperry
Bauer	Edwards	Lewis	Murray	Stevens
Carson	Endres	Little	Newschafer	Treadway
Cheney	Enz	Loder	Nixon	Van Gorder
Clarke, C. C.	Fitts	Martin	Pearsall	Walters
Comstock	Flaherty	Mase	Peck	West
Coon	Gallup	McAdam	Rhodes	Whipple
Cottrell	Greene	McCarren	Saunders	Yates
Curtis	Groat	McKenzie	Savery	Youngman
Dante	Guenther			

Those who voted in the negative, were

Blake	Crosby	Kent	Rice	Sheehan
Blanchfield	Graham	Longley	Roesch	Strassburg
Blumenthal	Haffner	Maynard	Ryan	Townsend
Connelly	Kelly	O'Neil	Schaaff	Yetman
Creamer				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 496) entitled "An act to provide for the erection of an armory in the county of Kings for the Thirteenth regiment National Guard State of New York, and making an appropriation therefor, and for the acquisition by the county by cession by the city of Brooklyn and authorizing such cession, or by purchase and making an appropriation therefor, also to provide for the taking of real estate for such site by commission in case the same cannot be taken by agreement" (Rec. No. 192), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Gibbs	Mase	Saunders
Adams	Cottrell	Graham	McAdam	Savery
Andrus	Creamer	Groat	McCarren	Saxton

Baker, A. B.	Crosby	Guenther	McKenzie	Sheldon
Baker, A. H.	Curtis	Haffner	McLaughlin	Smith, C.
Barton	Dante	Hagan	Mead	Smith, T.
Bauer	Davidson	Hamilton	Miley	Sperry
Blake	Decker	Harwood	Moffitt	Strassburg
Blanchfield	Demarest	Hitt	Moody	Tefft
Blumenthal	de Peyster	Husted	Mullaney	Van Gorder
Brownell	Dinehart	Kent	O'Neil	West
Carson	Dinkelspiel	Kerrigan	Pearsall	Whipple
Cheney	Dunham	Kimball	Peck	Yates
Clarke, C. C.	Fish	Lane	Rhodes	Yetman
Comstock	Fitts	Loder	Rice	Young
Connelly	Flaherty	Longley	Roesch	Youngman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1050) entitled "An act in relation to railroad corporations," having been announced for a third reading,

On motion of Mr. Rhodes, and by unanimous consent, the same was amended as follows:

Line 5, after the word "railroad," strike out the word "in" and insert the words "wholly within."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Davidson	Greene	McCarren	Saxton
Adams	Decker	Groat	McLaughlin	Schaaff
Ainsworth	Demarest	Guenther	McMaster	Sheehan
Andrus	de Peyster	Haffner	Mead	Sheldon
Aspinall	Dinehart	Hamilton	Mesick	Smith, C.
Baker, A. B.	Dinkelspiel	Hitt	Miley	Smith, M. A.
Baker, A. H.	Donaldson	Husted	Miller	Stevens
Barton	Duffy	Kelly	Moffitt	Strassburg
Blake	Dunham	Kent	Murray	Sullivan
Blanchfield	Edwards	Kerrigan	Newschafer	Tefft
Bush, R. P.	Endres	Lane	Nixon	Towne
Carson	Enz	Lewis	O'Neil	Townsend
Cheney	Fish	Little	Pearsall	Van Gorder
Clarke, C. C.	Fitts	Loder	Peck	Walters
Comstock	Flaherty	Longley	Rhodes	West
Coon	Gallup	Martin	Rice	Whipple
Cottrell	Gibbs	Maynard	Ryan	Yetman
Crosby	Graham	McCann	Savery	Youngman
Curtis				

For the negative,
McKenzie

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1000) entitled "An act relating to life insurance companies and their agents doing business in this State," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Fitts	Lewis	Roesch
Ainsworth	Coon	Flaherty	Loder	Ryan
Andrus	Cottrell	Gallup	Longley	Savery
Aspinall	Cronin	Graham	Martin	Saxton
Baker, A. B.	Crosby	Groat	Maynard	Sheehan
Baker, A. H.	Curtis	Guenther	McAdam	Sheldon
Barton	Davidson	Haffner	McCann	Smith, C.
Bauer	Decker	Hagan	McCarren	Smith, M. A.
Blake	Demarest	Haggerty	McMaster	Sperry
Blanchfield	de Peyster	Hamilton	Mead	Stevens
Brown	Dinkelspiel	Harwood	Miley	Towne
Brownell	Donaldson	Hitt	Moody	Walters
Bush, R. P.	Dunham	Husted	Murray	West
Carson	Edwards	Kent	Nixon	Whipple
Cheney	Endres	Kerrigan	Rhodes	Yetman
Clark, J.	Enz	King	Rice	Youngman
Clarke, C. C.				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill No. 843, entitled "An act to amend sections 1141, 1142, 1143 and 1146 of the Code of Civil Procedure relating to the drawing of jurors in Kings county," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Andrus in the chair.

The bill (No. 1119) entitled "An act to amend section sixty of the Code of Criminal Procedure," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Graham	Longley	Rhodes
Ainsworth	Coon	Greene	Martin	Rice
Andrus	Cottrell	Groat	Maynard	Ryan

Baker, A. B.	Curtis	Guenther	McAdam	Schaaff
Baker A. H.	Davidson	Haffner	McCann	Sheldon
Barton	Decker	Hagan	McCarren	Smith, M. A.
Bauer	Demarest	Haggerty	McLaughlin	Smith, T.
Blake	Dinkelspiel	Hamilton	Mesick	Strassburg
Blanchfield	Dunham	Hayes	Miley	Tefft
Blumenthal	Edwards	Hitt	Miller	Treadway
Brown	Endres	Kelly	Moody	Van Gorder
Bush, R. P.	Fish	Kent	Mullaney	Walters
Carson	Fitts	Kerrigan	Newschafer	West
Clark, J.	Flaherty	King	Nixon	Whipple
Clarke, C. C.	Gallup	Lane	Pearsall	Yetman
Comstock	Gibbs	Lewis	Peck	Youngman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 674) entitled "An act to amend chapter 697 of the Laws of 1887, entitled 'An act to lay out and establish an exterior street along a portion of the East river in the city of New York, and to alter the map or plan of the city of New York to conform thereto,'" having been announced for a third reading,

On motion of Mr. Blumenthal, and by unanimous consent, the same was amended as follows:

Section 1, line 1, insert after the word "sections" the word "three," and strike out the word "four," and add the following:

"§ 3. The board of street opening and improvement of said city, after the adoption of said plan, shall cause proceedings to be instituted to acquire title for the use of the public to all or any of the land and property not owned by the corporation of the city of New York, required for the said exterior street, including any rights, terms, easements and privileges, or interests pertaining thereto, which are not subject to extinguishment or termination by public authority, and it shall be the duty of the counsel to the corporation, upon receipt of a written request from the said board, accompanied by maps or plans showing the location and extent of the said street and the property necessary to be acquired therefor, to take such legal proceedings to acquire the said land and property as shall be provided by law for the taking of private property in said city for public streets and places, and the provisions of law relating to the taking of private property for public streets or places in said city, so far as they are not inconsistent with provisions of this act, are hereby made applicable so far as may be necessary to the acquiring of said land, property, rights, terms, easements and privileges."

Add the following:

"§ 2. Section 4 is hereby amended to read as follows."

Make "§ 2" "§ 4."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Guenther	McCann	Savery
Ainsworth	Dante	Haggerty	McCarren	Saxton
Andrus	Davidson	Hamilton	McKenzie	Schaaff
Baker, A. B.	Decker	Harwood	McMaster	Sheldon
Baker, A. H.	Demarest	Hayes	Mesick	Smith, T.
Bauer	de Peyster	Hitt	Miley	Sperry
Blake	Dinehart	Husted	Moody	Strassburg
Blanchfield	Dinkelspiel	Kelly	Mullaney	Tefft
Blumenthal	Donaldson	Kent	Murray	Treadway
Brown	Dunham	Kerrigan	Nixon	Van Gorder
Carson	Edwards	King	O'Neil	Walters
Clark, J.	Endres	Lane	Pearsall	West
Clarke, C. C.	Enz	Lewis	Rhodes	Whipple
Comstock	Gibbs	Longley	Rice	Yates
Coon	Graham	Maynard	Roesch	Yetman
Cottrell	Groat	McAdam	Ryan	Youngman

For the negative,

Smith, C.

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 770) entitled "An act to release to Mary McGarvey Huston, the only child and heir-at-law of William McGarvey, deceased, the interest of the people of the State of New York in the personal property of which William McGarvey and Ellen Nealey McGarvey, or either of them, died possessed," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dante	Guenther	McMaster	Sheehan
Adams	Davidson	Haffner	Mesick	Sheldon
Ainsworth	Decker	Hagan	Miley	Smith, C.
Andrus	Demarest	Haggerty	Miller	Smith, M. A.
Aspinall	Dinehart	Harwood	Moffitt	Smith, T.
Baker, A. H.	Dinkelspiel	Hitt	Moody	Sperry
Barton	Donaldson	Kelly	Mullaney	Strassburg
Blake	Duffy	Kent	Murray	Townsend
Blanchfield	Dunham	Kerrigan	Newschafer	Treadway
Brown	Edwards	Lane	Nixon	Upson
Bush, R. P.	Endres	Larmon	Pearsall	Van Gorder
Carson	Enz	Lewis	Peck	Walters
Cheney	Fish	Longley	Rhodes	West

Clark, J.	Fitts	Martin	Rice	Whipple
Clarke, C. C.	Gallup	Maynard	Roesch	Yates
Comstock	Gibbs	McCann	Savery	Yetman
Connelly	Graham	McCarren	Saxton	Young
Cottrell	Greene	McKenzie	Schaaff	Youngman
Cronin	Groat	McLaughlin		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 18, 1889.

To the Assembly :

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 843, entitled "An act to amend sections 1141, 1142, 1143 and 1146 of the Code of Civil Procedure, relating to the drawing of jurors in Kings county."

DAVID B. HILL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Graham	McCann	Ryan
Adams	Cronin	Groat	McCarren	Savery
Ainsworth	Curtis	Guenther	McKenzie	Saxton
Andrus	Dante	Haffner	McLaughlin	Schaaff
Baker, A. B.	Davidson	Haggerty	Mead	Sheldon
Baker, A. H.	Decker	Harwood	Mesick	Smith, M. A.
Barton	Demarest	Hayes	Miley	Smith, T.
Blake	de Peyster	Hitt	Miller	Sperry
Blanchfield	Dinehart	Husted	Moffitt	Stevens
Blumenthal	Donaldson	Kelly	Moody	Towne
Brown	Duffy	Kent	Murray	Townsend
Bush, R. P.	Dunham	Lane	Nixon	Upson
Carson	Edwards	Lewis	Pearsall	Van Gorder
Cheney	Endres	Longley	Peck	Walters
Clark, J.	Fish	Martin	Rhodes	West
Clarke, C. C.	Fitts	Maynard	Rice	Whipple
Comstock	Gibbs	McAdam	Roesch	Yetman
Connelly				

The vote upon the final passage of said bill having been reconsidered, On motion of Mr. Haggerty, and by unanimous consent, the same was amended as follows :

Section 1, line 5, printed bill, strike out the word "book" and insert the word "box."

Same section, line 11, strike out the word "withdrawn" and insert the word "redrawn."

Section 2, line 13, strike out the word "the" and insert "a."

Section 3, line 9, strike out "a" and insert the word "the."

Add section 5 as follows:

"§ 5. This act shall effect immediately."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Groat	McKenzie	Saxton
Adams	Curtis	Guenther	McLaughlin	Schaaff
Ainsworth	Davidson	Haggerty	Mead	Sheldon
Andrus	Decker	Harwood	Mesick	Smith, M. A.
Baker, A. B.	Demarest	Hayes	Miley	Smith, T.
Baker, A. H.	Dinehart	Hitt	Miller	Stevens
Barton	Dinkelspiel	Husted	Moffitt	Strassburg
Bauer	Donaldson	Kent	Moody	Treadway
Blake	Dunham	Kerrigan	Mullaney	Van Gorder
Blanchfield	Edwards	King	Nixon	Walters
Brown	Endres	Lane	O'Neil	West
Carson	Fish	Lewis	Pearsall	Yates
Clark, J.	Fitts	Longley	Peck	Yetman
Clarke, C. C.	Gibbs	Maynard	Rice	Young
Comstock	Graham	McCann	Roesch	Youngman
Connelly	Greene	McCarren	Savery	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

Mr. Speaker in the chair.

Mr. Hamilton moved to take from the table the motion to reconsider the vote by which Assembly bill No. 740, entitled "An act to regulate the charges for the use of telephones in cities having a population of 1,000,000 inhabitants or over," was lost.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was lost.

Pending the calling of the roll,

Mr. Hamilton moved a call of the House, excepting ladies, and gentlemen in the rear of the railing.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker the Clerk called the roll, when the following members responded:

Acker	Curtis	Hamilton	McMaster	Sheldon
Adams	Dante	Harwood	Mead	Smith, C.
Ainsworth	Davidson	Hayes	Mesick	Smith, M. A.
Andrus	Decker	Hitt	Miley	Smith, T.
Aspinall	Demarest	Kelly	Miller	Sperry
Baker, A. B.	de Peyster	Kent	Moody	Stevens
Barton	Dinehart	Kerrigan	Mullaney	Strassburg
Bauer	Dinkelspiel	Kimball	Murray	Towne
Blake	Donaldson	King	Newschafer	Townsend
Blanchfield	Edwards	Lane	Nixon	Treadway
Blumenthal	Endres	Lewis	O'Neil	Upson
Brownell	Enz	Little	Pearsall	Van Gorder
Bush, R. P.	Fish	Loder	Peck	Walters
Carson	Fitts	Longley	Rhodes	West
Clarke, C. C.	Flaherty	Maynard	Rice	Whipple
Comstock	Gallup	McAdam	Roesch	Yates
Coon	Gibbs	McCann	Ryan	Yetman
Cottrell	Graham	McCarren	Savery	Young
Creamer	Haffner	McKenzie	Schaaff	Youngman
Cronin	Hagan	McLaughlin	Sheehan	Speaker
Crosby	Haggerty			102

The Clerk furnished a list of absentees to the Sergeant-at-Arms who appeared before the bar of the House with Messrs. Saxton, Greene, Connelly, Cheney, Martin, Tefft, Guenther, A. H. Baker, Moffitt and Duffy.

Mr. Hitt moved that the gentlemen be excused.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hamilton moved to suspend further proceedings under the call of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon the Clerk proceeded with the calling of the roll on the question to reconsider the vote by which said bill was lost.

Pending the calling of the roll the second time,

Mr. Hamilton again moved a call of the House, excepting ladies only.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker the Clerk again called the roll, when the following members responded:

Acker	Creamer	Greene	McAdam	Savery
Adams	Cronin	Guenther	McCann	Saxton
Ainsworth	Crosby	Haffner	McCarren	Schaaff
Andrus	Curtis	Hagan	McKenzie	Sheehan
Aspinall	Dante	Haggerty	McLaughlin	Sheldon
Baker, A. B.	Davidson	Hamilton	McMaster	Smith, C.
Baker, A. H.	Decker	Harwood	Mead	Smith, M. A.
Barton	Demarest	Hayes	Mesick	Smith, T.
Bauer	de Peyster	Hitt	Miley	Stevens
Blake	Dinehart	Hornidge	Miller	Strassburg

Blanchfield	Dinkelspiel	Kelly	Moffitt	Tefft
Blumenthal	Donaldson	Kent	Moody	Towne
Brown	Duffy	Kerrigan	Mullaney	Townsend
Brownell	Dunham	Kimball	Murray	Treadway
Bush, R. P.	Edwards	King	Newschafer	Upson
Carson	Endres	Lane	Nixon	Van Gorder
Cheney	Enz	Lewis	O'Neil	Walters
Clark, J.	Fish	Little	Pearsall	West
Clarke, C. C.	Fitts	Loder	Peck	Yates
Comstock	Flaherty	Longley	Rhodes	Yetman
Connelly	Gallup	Martin	Rice	Young
Coon	Gibbs	Mase	Roesch	Youngman
Cottrell	Graham	Maynard	Ryan	Speaker 115

Mr. C. Smith moved to suspend further proceedings under the call of the House.

Mr. Speaker put the question whether the House would agree to said motion and it was determined in the affirmative.

The Clerk then finished the roll call on reconsidering the vote, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 61 }
{ NOES 20 }

Those who voted in the affirmative, were

Acker	Creamer	Gibbs	McKenzie	Saxton
Ainsworth	Crosby	Haffner	McMaster	Sheehan
Andrus	Curtis	Hagan	Mead	Smith, T.
Aspinall	Davidson	Hamilton	Moody	Sperry
Blumenthal	de Peyster	Harwood	Newschafer	Stevens
Brownell	Dinkelspiel	Hornidge	O'Neil	Strassburg
Bush, R. P.	Dunham	Kimball	Pearsall	Upson
Carson	Edwards	King	Peck	Van Gorder
Cheney	Endres	Lewis	Rhodes	Walters
Clarke, C. C.	Enz	Little	Roesch	West
Connelly	Fish	Martin	Ryan	Yates
Coon	Gallup	Maynard	Saunders	Youngman
Cottrell				

Those who voted in the negative, were

Adams	Blake	Decker	Kent	Miley
Baker, A. B.	Blanchfield	Flaherty	Kerrigan	Sheldon
Baker, A. H.	Brown	Greene	Loder	Smith, M. A.
Bauer	Dante	Hitt	McAdam	Yetman

Mr. Speaker announced the special order of the day, being the reading the third time of Assembly bill No. 1068, entitled 'An act to amend chapter 586 of the Laws of 1888, entitled 'An act providing for the proper employment of convicts in the penal institutions of the State, and making an appropriation necessary to prevent the prisoners from remaining in idleness.'

Mr. Ainsworth in the chair.

Said bill having been announced for a third reading,

Mr. R. P. Bush moved to substitute Senate bill No. 647, entitled "An act to amend title 2 of chapter 3 of part 4 of the Revised Statutes, relating to State prisons," and to amend said substitute as follows:

Section 1, line 94, after the word "hundred" insert the words "and eighty."

Page 6, line 140, after the word "prisons" insert the words "except the clerks and assistants clerks, who shall be subject to such rules and regulations as shall be prescribed by the comptroller."

Page 15, line 403, strike out the words "Superintendent of State Prisons" and insert the word "Comptroller."

Page 17, line 445, strike out the words "Superintendent of State Prisons" and insert the word "Comptroller."

Page 19, line 518, strike out the word "officers."

Same page, line 519, strike out the words "except the agent and warden."

Same page, line 520, strike out the word "officer."

Section 1, line 670, strike out the word "clerk" and insert the word "chaplain."

Page 24, line 671, after the word "physician" insert the word "chaplain."

Section 1, line 674, strike out the word "secretary" and insert the word "clerk."

Same section, line 852, strike out the word "may" and insert the word "shall."

Same section, line 867, after the word "labor" strike out the words "for at least" and insert the words "not to exceed."

Same section, strike out lines 887 and 888, and insert the following:

"§ 102. The labor of prisoners of the third grade shall be directed solely to such exercise as shall tend to the preservation of health, or the manufacturing, without the aid of machinery, of such articles as are needed in the public institutions of the State, or such other manual labor as the Superintendent of State Prisons shall direct which shall not compete with free labor."

Section 1, line 918, after the word "enumeration" add the words "except in industries in which there are employed not to exceed fifty free laborers."

Same section, line 944, after the word "prison" strike out the remainder of said line and lines 945 and 946 and the words "twelve cents per day" in line 947, and insert the words "in which he is confined, and the prisoners in said reformatory from the current expenses thereof compensation, to be graded by the agent and wardens of the prisons for the prisoners therein and the superintendent of the reformatory for the prisoners therein, for the time which he may work, at an average of twenty per centum of the whole earnings of the prisoners in said prison or reformatory, for such time, to range from fifteen to twenty-five per centum of such earnings."

Same section, line 956, after the word "prison" insert the words "or the superintendent of said reformatory."

Insert, as section 4, the following:

"§ 4. It shall not be lawful for the Superintendent of State Prisons, or the agent and wardens or managers of any of the penal institutions of this State, or the penitentiaries of any of the counties thereof, hereafter to receive or permit to be received therein any prisoner convicted in the United States Court for crimes committed out of the State of New York, or in any court other than the State of New York."

Change "§ 4" to "§ 5" and "§ 5" to "§ 6"

Mr. Husted moved to amend said substitute as follows:

Section 1, line 915, after the word "exceed" insert the words "one hundred in number in all of the State prisons, and shall not exceed."

Mr. Hamilton moved to amend said substitute as follows:

Section 1, after line 918 add at the end of section 106, as amended, the words "No motive power machinery shall be used in such manufacturing, and no more machinery than is necessary to produce uniform and marketable goods."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Hamilton, and it was determined in the affirmative.

Mr. Hitt moved that said substitute, together with all amendments, be committed to the committee on State prisons, with instructions to report on Wednesday next, at which time it be made a special order.

Mr. Blumenthal moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Hitt, and it was determined in the negative.

Mr. Cole moved to reconsider the vote by which the previous question was ordered.

Mr. Blumenthal asked unanimous consent that said bill be made a special order for Wednesday, April twenty-fourth, which was objected to.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which the previous question was ordered, and it was determined in the affirmative.

Mr. Hamilton moved that the time of the session be extended until the bills before the House are disposed of.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Saxton offered the following:

Resolved, That said bill, with the amendments adopted in committee of the whole, together with the substitute and all amendments offered and adopted thereto be printed, committed to the committee of the whole, retaining its place on the order of third reading, made a special order for Wednesday, April twenty-fourth, immediately after the reading of the journal, and that after the same shall have been considered in committee of the whole the same shall have its third reading on the same day.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill (No. 851 entitled "An act to amend chapter 265 of the Laws of 1887, entitled 'An act to protect primary elections and conventions of political parties, and to punish offenses committed thereat,' having been announced for a third reading,

On motion of Mr. Sheehan, and by unanimous consent, the same was amended by striking out in section 1, line 20, printed bill, the words "or county."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Guenther	Maynard	Saunders
Ainsworth	Crosby	Haffner	McCann	Savery
Andrus	Curtis	Hamilton	McCarren	Saxton
Aspinall	Dante	Harwood	Mesick	Sheehan
Baker, A. H.	Davidson	Hayes	Miley	Sheldon
Barton	Decker	Hitt	Moffitt	Smith, T.
Bauer	Demarest	Husted	Moody	Sperry
Blumenthal	Dinkelspiel	Kelly	Murray	Towne
Brown	Donaldson	Kerrigan	Newschafer	Treadway
Brownell	Duffy	Kimball	Nixon	Upson
Carson	Endres	King	O'Neil	Van Gorder
Cheney	Enz	Lane	Pearsall	Walters
Clark, J.	Fish	Lewis	Peck	West
Comstock	Fitts	Little	Rhodes	Whipple
Connelly	Gallup	Loder	Roesch	Young
Coon	Gibbs	Longley	Ryan	Youngman
Cottrell	Greene	Martin		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Rhodes, from the committee on banks, to which was referred the Senate bill introduced by Mr. Raines, Int. No. 275, entitled "An act to amend chapter 409 of the Laws of 1882, entitled 'An act to revise the statutes of this State relating to banking and trust companies,'" reported in favor of the passage of the same, which report was agreed to, and said bill was restored to its place on the order of third reading.

On motion of Mr. Rhodes, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Cotrell	Fish	Lewis	Saunders
Ainsworth	Creamer	Fitts	Little	Savery
Andrus	Cronin	Gallup	Loder	Sheehan

Baker, A. B.	Crosby	Gibbs	Martin	Sheldon
Barton	Curtis	Graham	Maynard	Smith, M. A.
Bauer	Dante	Guenther	McAdam	Smith, T.
Blake	Davidson	Haffner	McCarren	Sperry
Blumenthal	Decker	Hagan	Moffitt	Strassburg
Brown	Demarest	Haggerty	Moody	Townsend
Brownell	de Peyster	Hamilton	Murray	Treadway
Bush, R. P.	Dinehart	Hayes	Nixon	Upson
Carson	Dinkelspiel	Hitt	O'Neil	Walters
Cheney	Duffy	Hornidge	Pearsall	West
Clark, J.	Dunham	Husted	Peck	Whipple
Clarke, C. C.	Edwards	Kent	Rhodes	Young
Comstock	Endres	Kimball	Roesch	Youngman
Coon	Enz	Lane	Ryan	

For the negative,

Van Gorder

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Gallup, from the committee on canals, to which was referred the bill introduced by Mr. Tefft, Int. No. 581, entitled "An act to facilitate State commerce by increasing and improving the lockage capacity of the Erie and Oswego canals, and to improve the Erie, Oswego, Champlain, Cayuga and Seneca and Black River canals, the Albany basin of the Erie canal, the Glens Falls feeder, the Oneida river, and to complete the construction of a basin at Havana, and the opening of the Seneca lake level of the Chemung canal to navigation," reported in favor of the passage of the same, with amendments (Messrs. Andrus, Le Roy, Endres and Blanchfield, dissenting), which report was agreed to, and said bill committed to the committee of the whole.

The Senate returned the bill entitled "An act to limit the amount of property to be held by corporations organized for other than business purposes" (No. 206), with a message that they have concurred in the passage of the same, as amended, with the following further amendments:

Amendments of the Assembly amended so as to read as follows:

"SECTION 1. Any religious, educational, literary, scientific, benevolent or charitable corporation, or corporation organized for hospital, infirmary, or other than business purposes, may take and hold property not exceeding in value \$2,000,000, or the yearly income derived from which shall not exceed \$100,000, notwithstanding the provisions of any special or general act heretofore passed, or certificate of incorporation affecting such corporations. In computing the value of such property, no increase in value arising otherwise than from improvements made thereon shall be taken into account.

"§ 2. This act shall not affect the right of any such corporation to take and hold property exceeding in value the amount specified in section 1 of this act, providing such right is conferred upon such corporation by special statute.

"§ 3. This act shall take effect immediately."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in

said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
 { NOES 00 } .

Those who voted in the affirmative, were

Acker	Cottrell	Gibbs	Loder	Rhodes
Adams	Creamer	Graham	Martin	Rice
Ainsworth	Cronin	Greene	Maynard	Roesch
Andrus	Curtis	Haffner	McAdam	Saunders
Baker, A. B.	Dante	Hagan	McCann	Savery
Barton	Davidson	Haggerty	McCarren	Sheehan
Bauer	Decker	Hamilton	McKenzie	Smith, T.
Blake	Demarest	Hitt	Mead	Tefft
Blanchfield	de Peyster	Hornidge	Moffitt	Treadway
Blumenthal	Dinehart	Husted	Moody	Upson
Brown	Dinkelspiel	Kent	Mullaney	Van Gorder
Carson	Duffy	Kimball	Murray	West
Cheney	Dunham	King	Newschafer	Whipple
Clark, J.	Enz	Lane	Nixon	Young
Clarke, C. C.	Fish	Lewis	O'Neil	Youngman
Comstock	Gallup	Little	Peck	Speaker
Coon				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their further amendments.

Mr. Crosby, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Cantor, Int. No. 260, entitled "An act to close a portion of One Hundred and Eleventh street in the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Crosby moved that said bill do now have its third reading.

Mr. Martin objected, and raised the point of order that said bill having been introduced after March fifteenth, could not have its third reading except by unanimous consent.

The Speaker decided the point of order well taken.

Mr. McKenzie, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend chapter 585 of the Laws of 1886, entitled 'An act to authorize the several towns of the State to elect a board of town auditors, and to prescribe their powers and duties,' as amended by chapter 488 of the Laws of 1888." (No. 437.)

"An act to amend section 1022 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the board of education." (No. 1030.)

"An act to amend chapter 294 of the Laws of 1869, entitled 'An act to incorporate the fire department of the city of Binghamton.'" (No. 441.)

"An act to amend chapter 461 of the Laws of 1871, entitled 'An act to revise the charter of Long Island City.'" (No. 520.)

"An act to amend chapter 280 of the Laws of 1888, entitled 'An act to amend chapter 540 of the Laws of 1879, entitled 'An act to regulate the practice of dentistry in the State of New York.'" (No. 885.)

"An act to amend chapter 307 of the Laws of 1852, entitled 'An act to incorporate the Buffalo Association for the Relief of the Poor,' and to change the name thereof." (No. 918.)

"An act to amend section 473 of the Penal Code, relating to public officers." (No. 705.)

"An act to amend chapter 409 of the Laws of 1886, as amended by chapter 462 of the Laws of 1887, entitled 'An act to regulate the employment of women and children in manufacturing establishments and to provide for the appointment of inspectors to enforce the same.'" (No. 897.)

"An act to authorize the Board of Claims to hear, audit and determine the claims against the State, of certain owners of water power, rights and privileges on the Oswego and Seneca rivers, for damages growing out of the action of the State in lowering the bed of Seneca river at and above Jacks Reefs, and to make awards therefor." (No. 246.)

"An act to enforce the collection of taxes levied in the county of Rockland." (No. 562.)

"An act to authorize and empower Louisa Cota Smith to take, hold and convey property in the same manner and with the same effect as if a native-born citizen of the United States." (No. 1074.)

"An act to amend chapter 40 of the Laws of 1848, entitled "An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes," and acts amendatory thereof, relating to trustees, their number and election." (No. 1009.)

"An act to amend chapter 865 of the Laws of 1871, entitled 'An act to incorporate the Young Men's Christian Association of the city of Schenectady,' and to restrict the power of the trustees of said association to mortgage its real estate, and to prescribe the manner in which mortgages thereon may be hereafter made." (No. 625.)

"An act to amend title 4 of chapter 248 of the Laws of 1883, entitled 'An act to revise and amend the charter of the village of Flushing, in Queens county.'" (No. 651.)

"An act to amend section 15 of chapter 436 of the Laws of 1880, entitled 'An act to establish a police department in the city of Buffalo, and to provide for the government thereof.'" (No. 617.)

"An act to provide for the organization of school savings banks." (No. 917.)

"An act to establish the compensation of the county judge and surrogate of Warren county." (No. 525.)

"An act reappropriating a certain unexpended balance, and authorizing the Superintendent of Public Works to expend the same in dredging and excavating the channel of Seneca river and the old Bear race in the village of Waterloo, and providing for the release to the State by the owner of lands in the channel of said race, the right to use the same for canal purposes only." (No. 1104.)

"An act to amend chapter 535 of the Laws of 1888, entitled 'An act to incorporate the city of Middletown.'" (No. 808.)

"An act to amend chapter 555 of the Laws of 1855, entitled 'An act to amend the act to incorporate the village of Clyde in the county of Wayne, passed May 2, 1835, and the acts amendatory thereof, passed May 14, 1840, and April 14, 1852, relating to police justice.'" (No. 973.)

"An act to amend chapter 109 of the Laws of 1880, entitled 'An act to provide for the establishment of a union free school or schools within the corporate limits of the village of Cortland, as amended by chapter 142 of the Laws of 1881.'" (No. 968.)

"An act to amend chapter 184 of the Laws of 1881, entitled 'An act to revise the charter of the city of Yonkers, and the acts amendatory thereof.'" (No. 602.)

"An act to amend chapter 363 of the Laws of 1886, entitled 'An act to amend, revise and consolidate the several acts relating to the village of Canton and to enlarge the powers of the corporation of said village, relating to the boundaries of said village and duties of assessor.'" (No. 925.)

"An act to release to Harry H. Hurford and Bessie P. Barnett the right, title and interest of the people of the State of New York, in certain real estate in the village of Cooperstown, Otsego county, N. Y. (No. 922.)

"An act relating to paving, repaving and repairing certain streets in the city of New York, and the levying of assessments to pay the expense thereof, as a substitute for covenants for paving, repaving and repairing said streets." (No. 882.)

"An act to authorize the authorities of the city of Brooklyn to open, extend and improve Manhattan avenue, and to close a portion of the same, and to open and improve a portion of Ewen street, in the city of Brooklyn." (No. 945.)

"An act to amend chapter 230 of the Laws of 1882, entitled 'An act to incorporate the Franklin Loan and Trust Company of the city of New York,' as amended by chapter 474 of the Laws of 1887." (No. 992.)

"An act for the relief of the Utica Belt Line Street Railroad Company." (No. 1038.)

"An act to create a commission to inquire into the expediency of enlarging the area of the city of New York." (No. 1001.)

"An act to prohibit the sale of cigarettes to children under sixteen years of age." (No. 591.)

"An act to prevent deception in the sale of lard, and to preserve the public health." (No. 905.)

"An act to secure and promote the purity of the ballot." (No. 974.)

"An act to limit the eligibility of members of the board of education of the city of Brooklyn." (No. 1051.)

"An act to enable the electors of the town of North Collins, in Erie county, to vote by districts in the election of town officers." (No. 616.)

"An act to amend section 4, chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game.'" (No. 867.)

"An act to permit the city of Auburn to raise money to build a bridge and to supply deficiency caused by the failure of the First National Bank in said city." (No. 920.)

"An act to amend chapter 555, of the Laws of 1864, entitled 'An

act to revise and consolidate the general acts relating to public instruction,' and the several acts amendatory thereof and supplementary thereto." (No. 487.)

"An act to amend sections 86 and 89 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in relation to the licensing of scalpers in coal freights." (No. 878.)

"An act for the protection of shad and game fish in the river Delaware." (No. 197.)

"An act to amend section 407 of the Penal Code, relating to the adulteration of food, drugs, liquors, etc." (No. 1031.)

"An act to amend chapter 557 of the Laws of 1887, entitled 'An act to authorize the park commissioners of the city of Buffalo to select and locate such ground as may be deemed desirable for park purposes in the Thirteenth ward of said city, and in the town of West Seneca, Erie county.'" (No. 1049.)

"An act to amend chapter 305 of the Laws of 1853, entitled 'An act to consolidate the several school districts and parts of districts in the village of Pulaski into one district and provide for a school therein.'" (No. 773.)

"An act to provide a rifle range for the use of the National Guard." (No. 1029.)

"An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,' and the acts amendatory thereof, relating to collectors' returns of uncollected taxes." (No. 1046.)

"An act to amend section 3 of chapter 180 of the Laws of 1845, entitled 'An act to reduce the number of town officers and town and county expenses, and to prevent abuses in auditing town and county accounts.'" (No. 1045.)

"An act to provide for the purchase and distribution of a table of expiration of sentences, under chapter 492 of the Laws of 1888." (No. 1043.)

"An act to enable courts of justice to receive in evidence in actions or proceedings involving the title of premises known by the street number as No. 209 Hester street, in the city of New York, certain testimony heretofore received in a cause involving the same question." (No. 977.)

"An act to provide for the hearing of the claims of J. W. Van Slyke and others for work and services performed for the State under the provisions of chapter 577 of the Laws of 1864." (No. 1021.)

The Speaker and Clerk referred the following entitled bills to the subcommittee of the whole:

Int. 399, No. 731, "An act to amend chapter 62 of the Laws of 1853, entitled 'An act to regulate the construction of roads and streets across railroad tracks.'"

Int. 879, No. 1011, "An act authorizing railroad corporations which have purchased the right, franchise and privilege of using streets, roads, avenues, parks or public places at public auction for a percentage per annum of their gross receipts, to use the tracks of other railroad companies."

Int. 358, No. 1003, "An act to amend the commissioners' map of the city of Brooklyn and to authorize the common council of said city to open and grade and pave certain streets in said city."

The privileges of the floor were extended to Hons. R. B. Foote and John G. Milford.

The following were excused for the day: Messrs. Hughes, Dunlap, George H. Bush, Huntting, Groat and Larmon.

Mr. Hamilton presented a petition against the passage of Assembly bills Nos. 894 and 311, and relative to misappropriating common school moneys or subjecting wards of the State to sectarian control; which was referred to the committee of the whole.

The Senate returned the bill entitled "An act to amend sections 1141, 1142, 1143 and 1146 of the Code of Civil Procedure, relating to the drawing of jurors in Kings county" (No. 843), with a message that they have concurred in the passage of the same, as amended.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Van Gorder, the House took a recess until 8 o'clock P. M.

EIGHT O'CLOCK P. M.

The House again met.

Mr. Gibbs in the chair.

The bill (No. 246) entitled "An act to authorize the Board of Claims to hear, audit and determine the claims against the State, of certain owners of water power, rights and privileges on the Oswego and Seneca rivers, for damages growing out of the action of the State in lowering the bed of Seneca river at and above Jacks Reefs, and to make awards therefor," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, three-fifth being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Guenther	Longley	Ryan
Ainsworth	Curtis	Haffner	Martin	Saunders
Baker, A. B.	Dante	Hagan	Mase	Saxton
Barton	Davidson	Hamilton	Maynard	Sheldon
Bauer	Decker	Harwood	McAdam	Smith, T.
Blake	Demarest	Hitt	McCarren	Stevens
Blanchfield	de Peyster	Hornidge	Mead	Strassburg
Blumenthal	Dinkelspiel	Husted	Mesick	Sullivan
Brown	Donaldson	Kelly	Miller	Treadway
Bush, R. P.	Duffy	Kent	Moody	Upson
Carson	Edwards	Kerrigan	Mullaney	Van Gorder
Cheney	Fitts	Kimball	Murray	Walters
Comstock	Flaherty	Lane	O'Neil	West

Connelly	Gibbs	Lewis	Peck	Yetman
Coon	Graham	Little	Rice	Young
Cottrell	Greene	Loder		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1029) entitled "An act to provide a rifle range for the use of the National Guard," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Greene	Martin	Roesch
Baker, A. B.	Dante	Guenther	Mase	Ryan
Barton	Davidson	Haffner	Maynard	Saunders
Bauer	Decker	Haggerty	McAdam	Saxton
Blake	Demarest	Hamilton	McCarren	Schaaff
Blanchfield	de Peyster	Harwood	Mead	Smith, T.
Blumenthal	Dinkelspiel	Hornidge	Mesick	Sperry
Brown	Donaldson	Husted	Miller	Tefft
Bush, R. P.	Duffy	Kelly	Moffitt	Townsend
Carson	Dunham	Kent	Moody	Upton
Clarke, C. C.	Edwards	Kerrigan	Mullaney	Van Gorder
Comstock	Fitts	Kimball	Murray	Walters
Connelly	Flaherty	Lewis	Newschafer	West
Coon	Gallup	Little	O'Neil	Yetman
Cottrell	Gibbs	Loder	Peck	Young
Cronin	Graham	Longley	Rice	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 437) entitled "An act to amend chapter 585 of the Laws of 1886, entitled 'An act to authorize the several towns of the State to elect a board of town auditors, and to prescribe their powers and duties,' as amended by chapter 488 of the Laws of 1888," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Haffner	Martin	Rice
Ainsworth	Connelly	Haggerty	Mase	Roesch
Andrus	Cottrell	Hamilton	Maynard	Saunders
Aspinall	Curtis	Harwood	McAdam	Savery

Baker, A. B.	Demarest	Hitt	McCarren	Saxton
Baker, A. H.	de Peyster	Hornidge	Mead	Schaaff
Barton	Dinkelspiel	Husted	Mesick	Smith, T.
Bauer	Duffy	Kelly	Moffitt	Stevens
Blake	Dunham	Kent	Moody	Strassburg
Blanchfield	Edwards	Kerrigan	Mullaney	Tefft
Blumenthal	Enz	Kimball	Newschafer	Van Gorder
Brown	Fitts	Lane	Nixon	Walters
Bush, R. P.	Gibbs	Lewis	O'Neil	West
Carson	Graham	Little	Peck	Yetman
Cheney	Greene	Loder	Rhodes	Young
Clarke, C. C.	Guenther	Longley		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 441) entitled "An act to amend chapter 294 of the Laws of 1869, entitled 'An act to incorporate the fire department of the city of Binghamton,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Graham	Lewis	Peck
Ainsworth	Cottrell	Greene	Little	Roesch
Andrus	Cronin	Guenther	Loder	Ryan
Baker, A. B.	Crosby	Haffner	Longley	Saunders
Baker, A. H.	Curtis	Hagan	Martin	Savery
Barton	Dante	Haggerty	Mase	Sheldon
Bauer	Davidson	Hamilton	Maynard	Smith, T.
Blake	Decker	Harwood	McCann	Stevens
Blanchfield	Demarest	Hitt	Mead	Strassburg
Blumenthal	de Peyster	Hornidge	Moffitt	Townsend
Brown	Dinkelspiel	Husted	Moody	Van Gorder
Bush, R. P.	Duffy	Kelly	Mullaney	Walters
Carson	Dunham	Kent	Murray	West
Cheney	Fitts	Kerrigan	Newschafer	Yetman
Clarke, C. C.	Flaherty	Kimball	Nixon	Young
Comstock	Gibbs	Lane	O'Neil	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 808) entitled "An act to amend chapter 535 of the Laws of 1888, entitled 'An act to incorporate the city of Middletown,'" having been announced for a third reading,

On motion of Mr. Greene, and by unanimous consent, the same was amended as follows:

Strike out all of section 11 and change the numbers of remaining sections to correspond.

Said bill as amended was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dante	Greene	Lewis	Nixon
Baker, A. B.	Davidson	Guenther	Little	O'Neil
Baker, A. H.	Decker	Haffner	Loder	Ryan
Barton	Demarest	Hagan	Longley	Saunders
Bauer	de Peyster	Haggerty	Martin	Savery
Blanchfield	Dinkelspiel	Hamilton	Mase	Saxton
Blumenthal	Donaldson	Harwood	Maynard	Sheldon
Brown	Duffy	Hitt	McAdam	Smith, T.
Bush, R. P.	Dunham	Hornidge	McCarren	Stevens
Carson	Edwards	Husted	Mead	Tefft
Clarke, C. C.	Enz	Kelly	Miley	Towne
Comstock	Fitts	Kent	Miller	Townsend
Coon	Flaherty	Kerrigan	Moody	Walters
Cottrell	Gallup	Kimball	Mullaney	West
Cronin	Gibbs	King	Murray	Yetman
Crosby	Graham	Lane	Newschafer	Young
Curtis				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 520) entitled "An act to amend chapter 461 of the Laws of 1871, entitled 'An act to revise the charter of Long Island City,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Creamer	Graham	Lewis	Rice
Andrus	Cronin	Greene	Little	Ryan
Baker, A. B.	Crosby	Guenther	Loder	Saunders
Baker, A. H.	Curtis	Haffner	Longley	Savery
Barton	Dante	Hagan	Martin	Saxton
Bauer	Davidson	Haggerty	Mase	Schaaft
Blake	Decker	Hamilton	Maynard	Sheldon
Blanchfield	Demarest	Harwood	McAdam	Smith, T.
Blumenthal	de Peyster	Hornidge	McCarren	Strassburg
Brown	Donaldson	Husted	Moffitt	Townsend
Bush, R. P.	Duffy	Kelly	Moody	Van Gorder
Carson	Edwards	Kent	Mullaney	Walters

Clarke, C. C.	Enz	Kerrigan	Murray	West
Comstock	Fitts	Kimball	Newschafer	Yetman
Coon	Flaherty	King	Nixon	Young
Cottrell	Gibbs	Lane	O'Neil	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 525) entitled "An act to establish the compensation of the county judge and surrogate of Warren county," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Creamer	Graham	Lane	Rice
Baker, A. B.	Cronin	Greene	Lewis	Ryan
Baker, A. H.	Crosby	Guenther	Little	Saxton
Barton	Dante	Haffner	Louier	Schaaff
Bauer	Davidson	Hagan	Longley	Sheldon
Blake	Decker	Haggerty	Martin	Smith, T.
Blanchfield	Demarest	Harwood	Maynard	Stevens
Blumenthal	Dinkelspiel	Hayes	McAdam	Tefft
Brown	Donaldson	Hitt	Mead	Townsend
Bush, R. P.	Duffy	Hornidge	Mesick	Upson
Carson	Dunham	Husted	Moody	Van Gorder
Cheney	Edwards	Kelly	Mullaney	Walters
Clarke, C. C.	Fish	Kent	Murray	West
Comstock	Fitts	Kerrigan	Newschafer	Yetman
Coon	Flaherty	Kimball	Nixon	Young
Cottrell	Gibbs	King	Peck	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 917) entitled "An act to provide for the organization of school savings banks," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Haffner	McAdam	Schaaff
Ainsworth	Curtis	Haggerty	McMaster	Sheldon
Aspinall	Dante	Hamilton	Mead	Smith, T.
Baker, A. B.	Davidson	Harwood	Mesick	Stevens

Baker, A. H.	Decker	Hitt	Moffit	Strassburg
Barton	Demarest	Hornidge	Moody	Tefft
Bauer	Dinkelspiel	Kent	Mullaney	Towne
Blanchfield	Donaldson	Kerrigan	Murray	Townsend
Brown	Duffy	King	Newschafer	Treadway
Carson	Fish	Lane	O'Neil	Upson
Cheney	Fitts	Lewis	Peck	Van Gorder
Clarke, C. C.	Flaherty	Little	Rice	Walters
Connelly	Gibbs	Loder	Ryan	West
Coon	Graham	Longley	Saunders	Yetman
Cottrell	Greene	Martin	Saxton	Young
Cronin	Guenther	Maynard		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 918) entitled "An act to amend chapter 307 of the Laws of 1852, entitled 'An act to incorporate the Buffalo Association for the Relief of the Poor,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Fitts	Loder	Roesch
Ainsworth	Cottrell	Flaherty	Longley	Ryan
Andrus	Creamer	Gallup	Martin	Saunders
Aspinall	Cronin	Gibbs	Maynard	Saxton
Baker, A. B.	Crosby	Graham	McAdam	Schaaff
Baker, A. H.	Curtis	Greene	McMaster	Sheldon
Barton	Dante	Guenther	Mead	Smith, T.
Bauer	Davidson	Haffner	Miller	Tefft
Blake	Decker	Haggerty	Moffitt	Townsend
Blanchfield	Demarest	Hitt	Moody	Treadway
Blumenthal	Dinehart	Kent	Mullauey	Van Gorder
Brown	Dinkelspiel	Kimball	Murray	Walters
Bush, R. P.	Donaldson	King	Newschafer	West
Carson	Duffy	Lane	O'Neil	Yetman
Cheney	Dunham	Lewis	Peck	Young
Clarke, C. C.	Fish	Little	Rice	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 616) entitled "An act to enable the electors of the town of North Collins, in Erie county, to vote by districts in the election of town officers," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Graham	Mase	Rice
Ainsworth	Coon	Greene	Maynard	Roesch
Andrus	Cottrell	Guenther	McAdam	Ryan
Aspinall	Creamer	Haffner	McCann	Saunders
Baker, A. B.	Cronin	Hamilton	McMaster	Savery
Baker, A. H.	Curtis	Harwood	Mead	Schaaff
Barton	Dante	Kelly	Mesick	Sheldon
Bauer	Davidson	Kent	Moffitt	Smith, T.
Blake	Decker	Kerrigan	Moody	Tefft
Blanchfield	Demarest	Kimball	Mullaney	Treadway
Blumenthal	Dinehart	Lane	Murray	Van Gorder
Brown	Dinkelspiel	Lewis	Newschafer	Walters
Carson	Duffy	Little	Nixon	West
Cheney	Edwards	Loder	O'Neil	Yetman
Clark, J.	Flaherty	Longley	Peck	Young
Clarke, C. C.	Gibbs	Martin		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 617) entitled "An act to amend section 15 of chapter 436 of the Laws of 1880, entitled 'An act to establish a police department in the city of Buffalo, and to provide for the government thereof,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Connelly	Gibbs	Longley	Saunders
Ainsworth	Coon	Graham	Martin	Savery
Andrus	Cottrell	Greene	Maynard	Saxton
Aspinall	Curtis	Guenther	McAdam	Schaaff
Baker, A. B.	Daute	Haffner	McCann	Sheldon
Baker, A. H.	Davidson	Haggerty	McMaster	Smith, T.
Bauer	Decker	Harwood	Mead	Stevens
Blake	Demarest	Hayes	Mesick	Tefft
Blanchfield	Dinehart	Hitt	Miller	Towne
Blumenthal	Dinkelspiel	Hornidge	Moffitt	Townsend
Brown	Donaldson	Husted	Mullaney	Treadway
Brownell	Duffy	Kelly	Newschafer	Van Gorder
Bush, R. P.	Edwards	Kent	Nixon	Walters
Carson	Fish	Kerrigan	O'Neil	West
Cheney	Fitts	Kimball	Peck	Yetman
Clark, J.	Flaherty	Lewis	Ryan	Young
Clarke, C. C.	Gallup	Little		

For the negative,

Crosby

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 625) entitled "An act to amend chapter 865 of the Laws of 1871, entitled 'An act to incorporate the Young Men's Christian Association of the city of Schenectady,' and to restrict the power of the trustees of said association to mortgage its real estate, and to prescribe the manner in which mortgages thereon may be hereafter made," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Coon	Flaherty	Lewis	O'Neil
Andrus	Cottrell	Gallup	Little	Peck
Baker, A. B.	Creamer	Gibbs	Loder	Saxton
Baker, A. H.	Cronin	Graham	Maynard	Sheldon
Bauer	Crosby	Greene	McCann	Smith, T.
Blake	Curtis	Guenther	McMaster	Stevens
Blanchfield	Dante	Haffner	Mead	Tefft
Blumenthal	Davidson	Haggerty	Mesick	Townsend
Brown	Decker	Harwood	Miley	Treadway
Brownell	Demarest	Hornidge	Moffitt	Upson
Bush, R. P.	Dinehart	Husted	Moody	Van Gorder
Carson	Dinkelspiel	Kelly	Mullaney	Walters
Cheney	Donaldson	Kent	Murray	West
Clark, J.	Duffy	Kimball	Newschafer	Yetman
Clarke, C. C.	Edwards	King	Nixon	Young
Connelly	Fitts	Lane		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 651) entitled "An act to amend title 4 of chapter 248 of the Laws of 1883, entitled 'An act to revise and amend the charter of the village of Flushing, in Queens county,'" was read the third time.

Mr. Speaker, put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Coon	Gallup	Lane	Saunders
Andrus	Cottrell	Gibbs	Lewis	Savery
Baker, A. B.	Cronin	Graham	Little	Saxton
Baker, A. H.	Crosby	Greene	Longley	Schaaff

Blake	Curtis	Guenther	Martin	Sheldon
Blanchfield	Dante	Haffner	McCann	Smith, T.
Blumenthal	Davidson	Hamilton	Mead	Towne
Brown	Decker	Harwood	Moody	Townsend
Brownell	Demarest	Hayes	Mullaney	Treadway
Bush, R. P.	Dinehart	Hitt	Murray	Upson
Carson	Dinkelspiel	Hornidge	Newschafer	Van Gorder
Cheney	Donaldson	Husted	Nixon	Walters
Clark, J.	Duffy	Kent	O'Neil	West
Clarke, C. C.	Edwards	Kerrigan	Peck	Yetman
Comstock	Fitts	Kimball	Roesch	Young
Connelly	Flaherty	King	Ryan	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Towne offered for the consideration of the House a resolution, in the words following :

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 927, entitled "An act transferring the powers conferred on the board of water commissioners of the village of Fredonia, by chapter 97 of the Laws of 1882, and conferring the same upon the board of trustees of said village," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The privileges of the floor were extended to Hon. M. J. Coffee.

Leave of absence was granted till April twenty-second to Messrs. McKenzie and Le Roy.

The bill (No. 705) entitled "An act to amend section 473 of the Penal Code, relating to public officers," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Coon	Haffner	McCann	Saxton
Ainsworth	Cottrell	Harwood	Mead	Schaaff
Andrus	Cronin	Hitt	Miley	Sheldon
Baker, A. B.	Curtis	Hornidge	Moffitt	Smith, T.
Baker, A. H.	Davidson	Husted	Moody	Sperry
Bauer	Decker	Kent	Mullaney	Strassburg
Blanchfield	Demarest	Kerrigan	Murray	Tefft
Blumenthal	Dinehart	Kimball	Newschafer	Towne
Brown	Dinkelspiel	Lane	Nixon	Townsend
Brownell	Donaldson	Lewis	O'Neil	Treadway
Bush, R. P.	Edwards	Little	Peck	Upson
Carson	Fitts	Loder	Rhodes	Van Gorder

Cheney	Gibbs	Longley	Rice	West
Clark, J.	Graham	Martin	Ryan	Yetman
Clarke, C. C.	Greene	Maynard	Savery	Young
Comstock	Guenther	McAdam		

For the negative,
Crosby

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1031) entitled "An act to amend section 407 of the Penal Code, relating to the adulteration of food, drugs, liquors, etc.," having been announced for a third reading,

On motion of Mr. Ainsworth, and by unanimous consent, the same was made a special order for Tuesday, April twenty-third, immediately after the reading of the journal.

The bill (No. 711) entitled "An act to amend chapter 588 of the Laws of 1886, entitled 'An act to provide for and define the public or legislative printing,'" having been announced for a third reading,

On motion of Mr. Curtis, and by unanimous consent, Senate bill No. 355 was substituted for said bill, and the Senate bill amended by striking out all after the enacting clause and inserting the following:

SECTION 1. Section 8 of chapter 588 of the Laws of 1886, entitled "An act to provide for and define the public or legislative printing, as amended by chapter 710 of the Laws of 1887 and chapter 247 of the Laws of 1888," is hereby further amended so as to read as follows:

§ 8. In addition to the usual number of regular reports made by the State officers and institutions, there shall be printed, as extra copies of legislative documents for the use of the respective departments, institutions and boards; of the Governor's message, 6,000 copies, 5,000 for the Governor and 1,000 for the Legislature; of the Comptroller's report on the finances of the State, 1,000 copies; on the canals, 250 copies; of the State Treasurer's report, 700 copies; of the State Engineer and Surveyor's report on canals, 2,500 copies, 1,000 copies of the same to be bound in cloth; of the report of the Superintendent of the Insurance Department, in addition to the 1,500 copies authorized by law, 2,000 copies; of the report of the Adjutant-General, 1,000 copies bound in cloth and 500 copies bound in paper; of the report of the Superintendent of Public Works, 2,500 copies; of the report on tolls, trade and tonnage, 500 copies; of the report of the Superintendent of State Prisons, 1,000 copies bound in cloth and 2,000 copies bound in paper; of the report of the State Board of Charities, 1,500 copies; of the report of the State Board of Health, 3,000 copies; of the report of the State Board of Claims, 500 copies; of the report of the Bureau of Labor Statistics, 5,000 copies, 2,000 copies thereof for the use of the Legislature; of the report of the Civil Service Commission, one thousand copies; of the report of the Agricultural Experiment Station, 15,000 copies, 3,000 for the trustees and 12,000 for the Legislature; of the report of the State Agricultural Society, 6,000 copies, to be bound in cloth, 1,600 for the use of the Legislature, ten copies for each agricultural society of this State which reports to the State Agricultural Society, and the remainder for the use of the State Agricultural Society; of the Regents of the University, 3,000

copies; of the proceedings of the Convocation of the University of the State of New York, 3,000 copies, all bound in cloth; of the State Library report, 1,000 copies; of the State Museum of Natural History report, 1,800 copies, 1,500 for the Regents and 300 for the director; of the annual report of the Railroad Commissioners, 7,000 copies, all bound in cloth; 4,000 for the use of the Legislature and 3,000 for the Railroad Commissioners; of the report of the Superintendent of Public Instruction, 15,000 copies, all bound in cloth, to be distributed by that officer as follows: Eleven thousand three hundred copies for the school districts of the State, being one copy for each school district; 900 copies to school commissioners and city superintendents of schools; 200 copies to the State normal and training schools; 300 copies to academies and high schools; 1,000 copies to members and officers of the Legislature and State officers; 1,300 copies for the use of the State Superintendent of Public Instruction; also, 300 copies printed on forty-four pound calendered paper and bound in leather, for exchange with the superintendents of public instruction of the States and territories, and for distribution among public libraries; of the State Geologist's report, 1,500 copies, 1,000 for the Legislature and 500 for the State Geologist; of the Dairy Commissioner's report, 2,500 copies; of the Factory Inspector's report, 8,500 copies, 1,500 thereof for the Legislature and 7,000 for the use of the inspectors; of the report of the Board of Mediation and Arbitration, 15,000 copies, and of the report of the Commissioners of fisheries, 1,500 copies, for the use of the commissioners; of the report of the Commissioners of the State Reservation at Niagara, 1,000 copies; of the State Botanist's report, 1,000 copies; of the State Entomologist's report 2,500 copies, 1,000 for the Legislature and 1,500 for the State Entomologist; of the report of the Commander of the Grand Army of the Republic, department of New York, 1,000 copies, for the use of the Grand Army; of the report of the State Assessors, 8,000 copies, 5,000 with covers, for distribution among the supervisors and assessors of the various towns and cities of the State, which said copies shall be distributed by the Secretary of State, so that such supervisors and assessors shall receive one copy each; 2,000 copies with covers for the use of the Legislature, and 1,000 copies with covers, for the use of the State Assessors; of the report of the Forest Commission, 5,000 copies; and for all other institutions established by the State, when their printing is not done by the institution, 700 copies each, and for the hospitals and asylums for the insane, 1,500 copies each. All of the extra copies of the reports mentioned in this section, except as hereinabove specifically provided, shall be bound in paper covers, unless a report shall embrace more than 300 pages, in which case one-half of the number of extra copies shall be bound in cloth, and one-half in paper covers.

§ 2. This act shall take effect immediately.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 77 }
 { NOES 2 }

Those who voted in the affirmative, were

Acker	Cronin	Hayes	Mesick	Savery
Ainsworth	Curtis	Hitt	Miley	Saxton
Andrus	Davidson	Hornidge	Moffitt	Schaaff
Baker, A. B.	Decker	Husted	Moody	Sheldon
Baker, A. H.	Demarest	Kent	Mullaney	Smith, T.
Bauer	Dinehart	Kimball	Murray	Sperry
Blake	Dinkelspiel	Lane	Newschafer	Strassburg
Brownell	Donaldson	Lewis	Nixon	Tefft
Carson	Edwards	Little	O'Neil	Towne
Cheney	Fitts	Longley	Peck	Treadway
Clarke, C. C.	Gibbs	Martin	Rhodes	Van Gorder
Comstock	Graham	Maynard	Rice	Walters
Connelly	Greene	McAdam	Roesch	West
Coon	Haffner	McCann	Ryan	Yetman
Cottrell	Hamilton	Mead	Saunders	Young
Creamer	Harwood			

Those who voted in the negative, were

Blumenthal Crosby

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Husted moved a call of the House excepting ladies, and gentlemen in the rear of the railing.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded.

Acker	Cottrell	Haffner	McCann	Savery
Andrus	Creamer	Hamilton	Mead	Saxton
Baker, A. B.	Cronin	Harwood	Mesick	Schaaff
Baker, A. H.	Crosby	Hayes	Miley	Sheldon
Bauer	Curtis	Hitt	Miller	Smith, T.
Blake	Dante	Hornidge	Moffitt	Sperry
Blanchfield	Decker	Husted	Moody	Strassburg
Blumenthal	Demarest	Kent	Mullaney	Tefft
Brownell	Dinehart	Kerrigan	Murray	Treadway
Bush, R. P.	Dinkelspiel	Lane	Newschafer	Upson
Carson	Donaldson	Lewis	Nixon	Van Gorder
Cheney	Duffy	Little	O'Neil	Walters
Clark, J.	Edwards	Loder	Peck	West
Clarke, C. C.	Fitts	Longley	Rhodes	Yetman
Comstock	Flaherty	Martin	Rice	Young
Connelly	Graham	Maynard	Ryan	Speaker
Coon	Greene	McAdam	Saunders	

Mr. Hornidge moved that further proceedings under the call be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

The Sergeant-at-Arms appeared at the bar of the House with Messrs. Ainsworth, Barton, Townsend, de Peyster, Dunham, Enz, Gallup, Guenther, Kimball, McMaster, Sullivan, McCarren, Brown and Towne.

Mr. Husted moved that the gentlemen be purged of contempt.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Husted moved that further proceedings under the call be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

The Sergeant-at-Arms appeared before the bar of the House with Messrs. McCarren, Haggerty and Youngman.

Mr. Ainsworth moved that they be purged of contempt.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hornidge moved that further proceedings under the call be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Andrus moved that the absent members, Messrs. Adams, Aspinall, Davidson, Dunlap, Endres, Fish, Hagan, Kelly, King, Mase, McLaughlin, Pearsall, Roesch, Sheehan, Charles Smith, M. A. Smith, Stevens, Whipple and Yates, be held in contempt until brought before the bar of the House, and that further proceedings under the call be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate bill (No. 570) entitled "An act to empower the trustees of the Willard Asylum for the Insane, to grant a right of way to the Geneva and Van Etenville Railway Company, through the lands of the State appurtenant to said asylum and under the charge and management of said trustees" (Rec. No. 254), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Hamilton	McAdam	Savery
Ainsworth	Curtis	Harwood	McCarren	Saxton
Andrus	Decker	Hitt	Mead	Sheldon
Baker, A. B.	Demarest	Hornidge	Mesick	Smith, T.
Baker, A. H.	de Peyster	Husted	Miley	Strassburg
Bauer	Dinehart	Kelly	Miller	Tefft
Blanchfield	Dinkelspiel	Kent	Moffitt	Towne
Brown	Donaldson	Kerrigan	Moody	Townsend

Brownell	Duffy	Kimball	Murray	Treadway
Bush, R. P.	Dunham	Lane	Nixon	Upson
Carson	Edwards	Lewis	O'Neil	Van Gorder
Cheney	Enz	Little	Peck	Walters
Clarke, C. C.	Fitts	Loder	Rhodes	West
Connelly	Gibbs	Longley	Rice	Yetman
Coon	Graham	Martin	Ryan	Young
Cottrell	Greene	Maynard	Saunders	Youngman
Cronin	Guenther			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 717) entitled "An act to authorize the Board of Claims to hear, audit and determine the claim of John D. Hutchinson against the State of New York, and to make an award therefor," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Fitts	Martin	Ryan
Ainsworth	Connelly	Flaherty	Maynard	Saunders
Andrus	Coon	Graham	McCann	Savery
Baker, A. B.	Cottrell	Greene	McCarren	Saxton
Baker, A. H.	Creamer	Guenther	Mead	Schaaft
Barton	Crosby	Haffner	Mesick	Sheldon
Bauer	Curtis	Haggerty	Miley	Smith. T.
Blake	Decker	Hamilton	Miller	Tefft
Blanchfield	Demarest	Hayes	Moffitt	Towne
Brown	de Peyster	Hornidge	Moody	Townsend
Brownell	Dinehart	Husted	Murray	Van Gorder
Bush, R. P.	Dinkelspiel	Kent	Nixon	Walters
Carson	Duffy	Lane	O'Neil	West
Cheney	Dunham	Lewis	Rhodes	Yetman
Clark, J.	Edwards	Loder	Rice	Young
Clarke, C. C.	Enz	Longley		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 718) entitled "An act to authorize the Board of Claims to hear, audit and determine the claim of Charles M. Brown against the State of New York, and to make an award therefor," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Cottrell	Gibbs	Maynard	Saunders
Ainsworth	Cronin	Graham	McAdam	Savery
Andrus	Curtis	Greene	McCann	Saxton
Baker, A. B.	Dante	Guenther	McCarren	Sheldon
Baker, A. H.	Davidson	Haffner	McMaster	Smith, T.
Bauer	Decker	Haggerty	Mesick	Stevens
Blake	Demarest	Hamilton	Miley	Strassburg
Blanchfield	Dinehart	Hornidge	Moffitt	Tefft
Brown	Dinkelspiel	Husted	Mullaney	Townsend
Brownell	Donaldson	Kent	Murray	Treadway
Bush, R. P.	Duffy	Kimball	Newschafer	Van Gorder
Carson	Dunham	Lane	Nixon	Walters
Cheney	Enz	Little	O'Neil	West
Clark, J.	Fitts	Loder	Peck	Yetman
Clarke, C. C.	Flaherty	Longley	Rhodes	Young
Connelly	Gallup	Martin	Ryan	Youngman
Coon				

For the negative,

Crosby

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Husted moved that the members now held in contempt under the call of the House, be purged of contempt.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 720) entitled "An act to enable tribes of the Improved Order of Red Men to take, hold, mortgage and convey real and personal property," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Fitts	Loder	Ryan
Ainsworth	Coon	Flaherty	Longley	Saunders
Andrus	Cronin	Gallup	Martin	Saxton
Baker, A. B.	Crosby	Gibbs	McAdam	Sheldon
Baker, A. H.	Curtis	Graham	McCann	Smith, M. A.
Barton	Davidson	Greene	McCarren	Stevens
Bauer	Decker	Haffner	Mead	Strassburg
Blake	Demarest	Haggerty	Mesick	Tefft
Blanchfield	de Peyster	Hamilton	Miley	Townsend
Blumenthal	Dinehart	Harwood	Moffitt	Treadway
Brown	Dinkelspiel	Hayes	Moody	Upton

Brownell	Donaldson	Hornidge	Mullaney	Van Gorder
Carson	Duffy	Husted	Murray	Walters
Cheney	Dunham	Kent	Nixon	West
Clark, J.	Edwards	Lane	O'Neil	Yetman
Clark, C. C.	Enz	Lewis	Peck	Young
Comstock	Fish	Little	Rice	Youngman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 721) entitled "An act to amend chapter 290 of the Laws of 1888, entitled 'An act to enable posts of the Grand Army of the Republic to take, hold and convey real and personal estate,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Flaherty	Martin	Rice
Ainsworth	Cottrell	Graham	Maynard	Roesch
Andrus	Creamer	Greene	McAdam	Ryan
Baker, A. B.	Cronin	Guenther	McCann	Saunders
Baker, A. H.	Crosby	Haggerty	McCarren	Savery
Barton	Davidson	Hamilton	Mead	Sheldon
Blake	Decker	Harwood	Miley	Strassburg
Blanchfield	Demarest	Husted	Moffitt	Tefft
Blumenthal	Dinehart	Kent	Moody	Townsend
Brown	Dinkelspiel	Kerrigan	Mullaney	Treadway
Brownell	Donaldson	Lane	Murray	Upson
Carson	Duffy	Lewis	Newschafer	Van Gorder
Cheney	Dunham	Little	Nixon	Walters
Clark, J.	Edwards	Loder	O'Neil	West
Clarke, C. C.	Enz	Longley	Rhodes	Yetman
Comstock	Fitts			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 722) entitled "An act to amend section 3131 of the Code of Civil Procedure, relating to actions by female employes in the Justices' Court of the city of Brooklyn," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 57 }
{ NOES 34 }

Those who voted in the affirmative, were

Acker	Comstock	Gallup	Martin	Newschafer
Andrus	Connelly	Greene	Maynard	O'Neil
Baker, A. B.	Cottrell	Guenther	McAdam	Rice

Baker, A. H.	Creamer	Haffner	McCann	Roesch
Bauer	Cronin	Haggerty	McCarren	Ryan
Blake	Curtis	Hamilton	Mead	Sheehan
Blanchfield	Dante	Kent	Mesick	Strassburg
Blumenthal	Demarest	Kerrigan	Miley	Tefft
Brown	Dinkelspiel	Lewis	Miller	Townsend
Brownell	Duffy	Little	Mullaney	Yetman
Bush, R. P.	Enz	Longley	Murray	Young
Carson	Fitts			

Those who voted in the negative, were

Ainsworth	Decker	Gibbs	Loder	Sperry
Barton	de Peyster	Harwood	Moffitt	Stevens
Clark, J.	Dinehart	Hitt	Moody	Towne
Clarke, C. C.	Donaldson	Hornidge	Rhodes	Van Gorder
Coon	Dunham	Husted	Savery	West
Crosby	Edwards	Kimball	Sheldon	Youngman
Davidson	Flaherty	King	Smith, C.	

Mr. Graham moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table,

Mr. Crosby raised the point of order that the hour of 10 o'clock having arrived, the House, by its own order, stood adjourned until to-morrow morning at 10.30 o'clock.

Mr. Speaker decided the point of order well taken.

Whereupon, the House adjourned.

FRIDAY, APRIL 19, 1889.

The House met pursuant to adjournment.

Prayer by Rev. Wm. S. Smart.

On motion of Mr. dePeyster, the journal of yesterday was approved without being read.

On motion of Mr. Gibbs, and by unanimous consent, the Senate bill (Rec. No. 260) entitled "An act to close a portion of One Hundred and Eleventh street in the city of New York," was read the third time.

Mr. Martin objected to its consideration, as having been introduced after March fifteenth, and that it could not be read except by unanimous consent.

Mr. Sheehan raised the point of order that unanimous consent having been given, and the last section read by the Clerk, the objection came too late.

Mr. Speaker decided the point of order well taken.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 74 }
{ NOES 10 }

Those who voted in the affirmative, were

Adams	Dante	Guenther	Miley	Smith, M. A.
Andrus	Davidson	Hagan	Miller	Sperry
Baker, A. H.	Demarest	Haggerty	Moody	Stevens
Bauer	de Peyster	Harwood	Nixon	Strassburg
Blake	Dinehart	Hitt	O'Neil	Tefft
Blumenthal	Donaldson	Husted	Peck	Towne
Brownell	Dunham	Kimball	Rhodes	Townsend
Bush, R. P.	Dunlap	King	Rice	Van Gorder
Carson	Endres	Lane	Roesch	Walters
Cheney	Enz	Larmon	Ryan	West
Comstock	Fitts	Lewis	Saunders	Yates
Connelly	Flaherty	Loder	Savery	Young
Coon	Gallup	Longley	Schaaff	Youngman
Cronin	Gibbs	Mase	Sheehan	Speaker
Curtis	Greene	Mead	Sheldon	

Those who voted in the negative, were

Acker	Graham	Hamilton	Martin	Mullaney
Crosby	Haffner	Kerrigan	McCann	Yetman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. dePeyster offered for the consideration of the House a resolution, in the words following :

Resolved, That Senate bill No. 544, entitled "An act to amend chapter 523 of the Laws of 1883, entitled 'An act to amend the charter of the city of Poughkeepsie,'" now on the order of third reading, be read to-day at 12.30 o'clock, P. M.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. M. A. Smith offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill Int. No. 1148, entitled "An act to legalize and confirm the action of the legal voters of the town of Delaware, at the annual town meeting held March 5, 1889," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The bill (No. 868) entitled "An act to legalize the action of the town meeting of the town of Phelps, in the county of Ontario, in voting an appropriation for a centennial monument, and to authorize the raising of an additional amount by tax," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
 { NOES 00 }

Those who voted in the affirmative, were

Acker	Creamer	Gibbs	Loder	Savery
Adams	Cronin	Graham	Longley	Schaaff
Andrus	Crosby	Greene	Martin	Sheldon
Baker, A. B.	Curtis	Guenther	Mase	Smith, M. A.
Baker, A. H.	Dante	Haffner	McCann	Sperry
Blake	Demarest	Haggerty	McCarren	Strassburg
Blanchfield	de Peyster	Harwood	Mead	Tefft
Blumenthal	Dinehart	Hitt	Miley	Townsend
Bush, R. P.	Donaldson	Husted	Moody	West
Carson	Dunham	Kelly	Murray	Whipple
Cheney	Dunlap	Kent	Nixon	Yates
Clarke, C. C.	Edwards	Kerrigan	O'Neil	Yetman
Comstock	Endres	King	Peck	Young
Connelly	Enz	Lane	Rhodes	Youngman
Coon	Fitts	Lewis	Roesch	Speaker
Cottrell	Flaherty	Little	Ryan	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1001) entitled "An act to create a commission to inquire into the expediency of enlarging the area of the city of New York," having been announced for a third reading,

Mr. Husted moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 66 }
 { NOES 28 }

Those who voted in the affirmative, were

Adams	de Peyster	Hagan	McMaster	Sheldon
Barton	Dinehart	Hitt	Mesick	Smith, M. A.
Blake	Dinkelspiel	Husted	Moffitt	Stevens
Blumenthal	Duffy	Kerrigan	Moody	Strassburg
Clark, J.	Edwards	Kimball	Mullaney	Sullivan
Clarke, C. C.	Endres	King	Murray	Towne
Connelly	Enz	Lane	Newschafer	Townsend
Coon	Fish	Larmon	Nixon	Treadway
Cottrell	Fitts	Lewis	Peck	Van Gorder
Creamer	Flaherty	Little	Rhodes	West
Cronin	Gibbs	Loder	Roesch	Whipple
Crosby	Guenther	Martin	Saunders	Yates
Curtis	Haffner	Mase	Savery	Youngman
Davidson				

Those who voted in the negative, were

Acker	Cheney	Kent	Miley	Schaaff
Andrus	Dunlap	Longley	Miller	Sperry
Aspinall	Haggerty	McCann	O'Neil	Tefft
Baker, A. H.	Hamilton	McCarren	Rice	Yetman
Blanchfield	Harwood	McLaughlin	Ryan	Young
Carson	Kelly	Mead		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 847) entitled "An act to provide for the payment of the salary of John A. Stemmler, as justice of the district court in the city of New York, for the seventh judicial district," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Creamer	Guenther	Mead	Sheldon
Andrus	Cronin	Haffner	Mesick	Stevens
Baker, A. B.	Curtis	Hagan	Miley	Strassburg
Baker A. H.	Dante	Haggerty	Miller	Sullivan
Barton	Davidson	Hamilton	Moffitt	Tefft
Bauer	Demarest	Harwood	Moody	Townsend
Blanchfield	De Peyster	Kent	Murray	Treadway
Blumenthal	Dinehart	Larmon	Newschafer	Upson
Brownell	Dinkelspiel	Lewis	Nixon	Van Gorder
Bush, R. P.	Duffy	Little	O'Neil	Walters
Carson	Dunlap	Loder	Peck	West
Cheney	Edwards	Longley	Roesch	Whipple
Clark, J.	Endres	Martin	Ryan	Yates
Clarke, C. C.	Enz	McAdam	Saunders	Young
Connelly	Fish	McCann	Savery	Youngman
Cottrell	Fitts	McCarren	Schaaff	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Creamer introduced a bill entitled "An act to authorize the mayor, aldermen and commonalty of the city of New York to provide for the expense of the participation by the Volunteer Firemen's Association of the city of New York in the celebration of the centennial anniversary of the inauguration of George Washington as first President of the United States" (Int. No. 1213), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Creamer, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to

the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Graham	McAdam	Schaaff
Andrus	Crosby	Greene	McCann	Sheehan
Baker, A. B.	Curtis	Guenther	McCarren	Sheldon
Baker, A. H.	Dante	Haffner	Mead	Smith, M. A.
Blake	Demarest	Hagan	Mesick	Strassburg
Blanchfield	de Peyster	Haggerty	Moffitt	Sullivan
Blumenthal	Dinehart	Hamilton	Moody	Tefft
Brownell	Dinkelspiel	Husted	Mullaney	Towne
Bush, R. P.	Duffy	Kelly	Murray	Townsend
Carson	Dunham	Kent	Newschafer	Upton
Cheney	Dunlap	Kerrigan	Nixon	Van Gorder
Clark, J.	Edwards	Kimball	O'Neil	Walters
Clarke, C. C.	Endres	Lane	Peck	West
Comstock	Enz	Larmon	Rhodes	Young
Connelly	Fish	Little	Roesch	Youngman
Coon	Fitts	Loder	Saunders	Speaker
Cottrell	Gibbs	Mase		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 119) entitled "An act to fix the compensation of the surrogate in the city and county of New York," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Creamer	Fitts	Longley	Saunders
Andrus	Cronin	Gibbs	Mase	Savery
Baker, A. B.	Crosby	Graham	McAdam	Schaaff
Baker, A. H.	Curtis	Greene	McCann	Sheehan
Barton	Dante	Guenther	McCarren	Sheldon
Bauer	Davidson	Haffner	McMaster	Smith, M. A.
Blake	Demarest	Hagan	Mesick	Strassburg
Blanchfield	de Peyster	Haggerty	Miller	Sullivan
Brownell	Dinehart	Harwood	Mullaney	Tefft
Bush, R. P.	Dinkelspiel	Husted	Murray	Towne
Carson	Donaldson	Kent	Newschafer	Townsend
Cheney	Duffy	Kerrigan	Nixon	Upton
Clark, J.	Dunham	Kimball	O'Neil	Van Gorder

Clarke, C. C.	Dunlap	Lane	Peck	Walters
Comstock	Edwards	Larmon	Rhodes	West
Connolly	Endres	Little	Roesch	Yetman
Coon	Enz	Loder	Ryan	Young
Cottrell				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 856) entitled "An act to amend chapter 573 of the Laws of 1886, entitled 'An act to revise, consolidate and amend chapter 287 of the Laws of 1879, and chapter 362 of the Laws of 1880, relating to the formation of town and county coöperative insurance companies and the acts amendatory thereof,'" having been announced for a third reading,

Mr. Acker moved to amend by inserting after section 1 the following:

"§ 2. Section 10 of said act is hereby amended so as to read as follows:

"§ 10. It shall be the duty of the secretary, within thirty days from the date of the adjustment of said loss, to notify every member of said company, by written or printed, or partly written and partly printed notices, signed by the secretary, that an assessment has been made and the amount due from such member as his share of the loss or damage, or as his share of the general assessment made for the current year, as determined by said directors or executive committee, and the time when and to whom such amount must be paid; such time shall not be less than thirty nor more than sixty days from the date of such notice, the cost of the expense and collection to be regulated by the by-laws of the company; such notice may be served personally or by mail, and if by mail, it shall be deposited in the post-office at the place where its principal office is located, or where said secretary resides, directed to each member at his place of residence or business and the postage prepaid.

Change section 2 to section 3.

Change section 3 to section 4.

Change section 4 to section 5.

Change section 5 to section 6.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Fitts	Little	Ryan
Adams	Cronin	Flaherty	Loder	Saunders
Baker, A. B.	Dante	Gallup	Martin	Savery
Baker, A. H.	Davidson	Gibbs	McAdam	Sheldon
Barton	Demarest	Graham	McCann	Smith, M. A.

Bauer	de Peyster	Haffner	McMaster	Strassburg
Blake	Dinehart	Haggerty	Mesick	Sullivan
Blanchfield	Dinkelspiel	Hamilton	Miley	Tefft
Blumenthal	Donaldson	Harwood	Moffitt	Towne
Brownell	Duffy	Hornidge	Moody	Townsend
Bush, R. P.	Dunham	Kelly	Murray	Upson
Carson	Dunlap	Kent	Newschafer	Van Gorder
Cheney	Edwards	Kerrigan	Nixon	West
Clarke, C. C.	Endres	Kimball	O'Neil	Yates
Comstock	Enz	Lane	Peck	Young
Connelly	Fish	Larmon	Rhodes	Youngman
Coon				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Peck, from the subcommittee of the whole, presented a report in writing ; which was laid upon the table and ordered printed.

(See Doc. No. 97.)

Mr. Speaker presented a petition against Assembly bill No. 894, entitled "An act to amend section 1066 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relative to certain institutions," which was referred to the committee on affairs of cities.

The bill (No. 1154) entitled "An act to amend chapter 57 of the Laws of 1888, entitled 'An act to incorporate the Starin Benevolent and Industrial Association of Fultonville and Fonda,'" having been announced for a third reading,

On motion of Mr. Dunlap, and by unanimous consent, the same was amended as follows:

Strike out all of section 1 and insert the following:

"SECTION 1. Section 1 of chapter 57 of the Laws of 1888, entitled 'An act to incorporate the Starin Benevolent and Industrial Association of Fultonville and Fonda,' is hereby amended so as to read as follows:

"§ 1. Susan B. Fish, Rachel F. Davis, Laura M. Starin, Elizabeth N. Peake, Anna P. De Graff, Helen H. Horton, Jane K. Morrison, Mary F. Cushney, Adelaide Groot Wemple, Margaret K. Wemple, Sarah L. Van Vranken, Lucella B. Jansen, Catharine L. Ashe, Mary Frothingham, Harriet M. Spraker, Lydia D. Mills, Elizabeth C. De Baun, Nettie Van Evra, Lucinda W. Wiles, Caroline Starin Carroll, Clara Boyd, Margaret Edwards, Jennie L. Conable, Laura Bell Spraker, Catherine Van Epps, Lydia Fonda, Mary E. Sammons, Sarah Mariah Wemple and such other persons as may from time to time become associated with them, are hereby constituted a body corporate by the name of 'The Starin Benevolent and Industrial Association of Fultonville and Fonda.' None but females shall be eligible as members of the association."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Graham	Longley	Peck
Adams	Cronin	Guenther	Martin	Rhodes
Baker, A. B.	Dante	Haffner	Mase	Ryan
Baker, A. H.	Davidson	Hamilton	McCann	Saunders
Barton	Demarest	Harwood	McCarren	Savery
Bauer	de Peyster	Hitt	Mead	Sheldon
Blake	Dinehart	Hornidge	Mesick	Smith, M. A.
Blanchfield	Donaldson	Husted	Miley	Sullivan
Blumenthal	Duffy	Kelly	Miller	Tefft
Brownell	Dunham	Kent	Moffitt	Towne
Bush, R. P.	Dunlap	Kerrigan	Moody	Upton
Carson	Endres	Kimball	Murray	West
Cheney	Enz	Lane	Newschafer	Whipple
Clark, J.	Fish	Larmon	Nixon	Yates
Clarke, C. C.	Fitts	Little	O'Neil	Young
Comstock	Flaherty	Loder		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 544) entitled "An act to amend chapter 523 of the Laws of 1883, entitled 'An act to amend the charter of the city of Poughkeepsie'" (Rec. No. 226), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Hagan	McAdam	Savery
Adams	Cottrell	Haggerty	McCann	Schaaff
Andrus	Cronin	Harwood	McCarren	Sheldon
Baker, A. B.	Demarest	Hitt	Mead	Smith, M. A.
Baker, A. H.	Dinehart	Hornidge	Mesick	Sperry
Barton	Dinkelspiel	Husted	Miley	Strassburg
Bauer	Donaldson	Kelly	Miller	Sullivan
Blake	Dunham	Kent	Moffitt	Tefft
Blanchfield	Dunlap	Kimball	Moody	Towne
Blumenthal	Endres	King	Murray	Townsend
Brownell	Enz	Lane	Nixon	Upton
Bush, R. P.	Fish	Larmon	O'Neil	Van Gorder
Carson	Fitts	Lewis	Rhodes	West
Clark, J.	Gibbs	Little	Rice	Yates
Clarke, C. C.	Graham	Loder	Roesch	Yetman
Comstock	Guenther	Longley	Ryan	Young
Connelly	Haffner	Martin	Saunders	Youngman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. McCann offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 1133, entitled "An act in relation to the taxation of the structures of elevated railroads in cities of less than 1,000,000 inhabitants," now on the order of third reading, be read the third time on Tuesday next, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent, the time for receiving reports of the committees on ways and means, railroads, affairs of cities and the judiciary was extended indefinitely.

Mr. Yates, from the committee on military affairs, to which was referred the bill introduced by Mr. de Peyster, Int. No. 655, entitled "An act to provide for organizing a veteran reserve corps in the reserve militia from among those exempted by reason of military service from ordinary duty," reported in favor of the passage of the same (Mr. Yates dissenting), which report was agreed to.

On motion of Mr. de Peyster, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and referred to the committee on revision.

On motion of Mr. M. A. Smith, and by unanimous consent, the bill (No. 1101) entitled "An act to appropriate moneys to improve and protect the navigation of the Delaware river at or near Cochection, in the county of Sullivan," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Greene	McMaster	Sheehan
Baker, A. B.	Curtis	Guenther	Miley	Sheldon
Baker, A. H.	Demarest	Haggerty	Miller	Smith, M. A.
Bauer	de Peyster	Hamilton	Moffit	Strassburg
Blake	Dinehart	Harwood	Moody	Sullivan
Blanchfield	Dinkelspiel	Hitt	Murray	Tefft
Brownell	Donaldson	Hornidge	Newschafer	Towne
Bush, R. P.	Dunlap	Husted	Nixon	Treadway
Carson	Edwards	Kelly	O'Neil	Upson
Cheney	Endres	Kent	Peck	Van Gorder
Clark, J.	Enz	Kimball	Rhodes	Walters
Clarke, C. C.	Fish	Larmon	Rice	West
Comstock	Fitts	Lewis	Roesch	Yates
Connelly	Flaherty	Longley	Ryan	Yetman
Coon	Gibbs	McCann	Savery	Young
Cottrell	Graham	McCarren	Schaaff	Youngman
Cronin				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Rhodes, from the committee on banks, to which was referred the bill introduced by Mr. Rhodes, Int. No. 514, entitled "An act to amend section 260 of chapter 409 of the Laws of 1882, entitled 'An act to revise the statutes of this State relating to banks, banking and trust companies,' as amended by chapter 524 of the Laws of 1887 and as amended by chapter 373 of the Laws of 1888," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill restored to its place on general orders.

Mr. Crosby moved that the House do now go into committee of the whole upon said bill.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Rhodes, from the committee on banks, to which was referred the bill introduced by Mr. Rhodes, Int. No. 1160, entitled "An act relating to the supervision of mortgage companies," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Rhodes, from the committee on banks, to which was referred the bill introduced by Mr. Rhodes, Int. No. 1116, entitled "An act to amend chapter 546 of the Laws of 1887, entitled 'An act to provide for the organization of trust companies, for their supervision and for the administration of their affairs,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Rhodes, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and referred to the committee on revision.

Mr. Saxton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Gallup, Int. No. 1098, entitled "An act to amend section 259 of the Code of Civil Procedure, relating to the salary of stenographers in the fifth judicial district," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Saxton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Roesch, Int. No. 179, entitled "An act to fix the duration of the term of office of the surrogate of the city and county of New York," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Roesch, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and referred to the committee on revision.

Mr. Saxton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Crosby, Int. No. 1086, entitled "An act to amend section 404 of the Penal Code relating to sales of poisons, etc.," reported in favor of the passage of the same, with amendments, which report was agreed to.

On motion of Mr. Crosby, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading, and made a special order for Wednesday, April twenty-fourth.

Mr. Saxton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Dante, Int. No. 883, entitled "An act to prohibit the publication by newspapers and other publications in this State, of descriptions or announcements of certain unlawful acts," reported the same for the consideration of the House, with amendments, and said bill committed to the committee of the whole.

Mr. Saxton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Towne, Int. No. 1192, entitled "An act to authorize the city of Jamestown to remove the remains of deceased persons from what is known as the old cemetery, situate upon West Seventh street, in said city," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Saxton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Towne, Int. No. 1191, entitled "An act to authorize the village of Fredonia to incur indebtedness and to issue bonds for the erection of a village hall," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Saxton, from the committee on the judiciary, to which was referred the concurrent resolution introduced by Mr. Haggerty, Int. No. 1186, entitled "A concurrent resolution proposing an amendment to article six of the constitution relating to election of additional justices of the Supreme Court," reported in favor of the passage of the same.

Mr. Haggerty moved to agree with said report.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, a majority of all the members present voting in favor thereof.

{ AYES 73 }
{ NOES 1 }

Those who voted in the affirmative, were

Aspinall	Dinehart	Harwood	Moffitt	Smith, M. A.
Baker, A. B.	Dinkelspiel	Hitt	Moody	Sperry
Bauer	Duffy	Husted	Murray	Stevens
Blake	Dunlap	Kent	Newschafer	Strassburg
Brownell	Edwards	Kerrigan	O'Neil	Tefft
Bush, R. P.	Endres	Kimball	Peck	Treadway
Carson	Enz	Lane	Rice	Upson
Connstock	Fitts	Larmon	Roesch	Van Gorder
Connolly	Gibbs	Little	Ryan	Walters
Coon	Graham	Loder	Saunders	West
Cottrell	Greene	Longley	Savery	Whipple
Cronin	Guenther	McCann	Schaaft	Yetman
Crosby	Hagan	McCarren	Sheehan	Young
Davidson	Haggerty	McMaster	Sheldon	Youngman
Démarest	Hamilton	Mead		

For the negative,

Fish

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Saxton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Demarest, Int. No. 838, entitled "An act to provide for the enforcement and collection of debts incurred for necessities of life, and declaring the property exempt from attachment, levy and sale on execution on judgments on such debts and in proceedings supplementary to and in aid of execution on such judgments," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Saxton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Gallup, Int. No. 1121, entitled "An act regulating the commitment, custody and discharge of the insane," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Van Gorder, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading, and made a special order for Thursday, April twenty-fifth.

Mr. Saxton, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Erwin, Int. No. 149, entitled "An act to amend chapter 392 of the Laws of 1887, entitled 'An act to make the office of county clerk of St. Lawrence county a salaried office and regulate the management of said office, as amended by chapter 79 of the Laws of 1888,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Saxton, from the committee on the judiciary to which was referred the Senate bill introduced by Mr. Lewis, Int. No. 87, entitled "An act to amend chapter 296 of the Laws of 1874, entitled 'An act to subject the real and personal property of the New York and Oswego Midland Railroad Company to taxation, and to appropriate the amount of the county taxes thereon to certain towns, to be applied toward the payment of the interest or principal on certain town bonds,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Hamilton, from the committee on general laws, to which was referred the concurrent resolution introduced by Mr. Mead, relating to the ejectment of "custodians" and occupants of State lands by the State Forest Commission, reported in favor of the passage of the same.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Hamilton, from the committee on general laws, to which was referred the bill introduced by Mr. McMaster, Int. No. 1196, entitled "An act to extend the time for the payment of the capital stock of corporations organized since May 1, 1884, as limited liability companies under chapter 611, Laws of 1875, entitled 'An act to provide for the organization and regulation of certain business corporations, and for taking proceedings to pay up or reduce their capital stock,'" reported in favor of the passage of the same, which report was

agreed to, and said bill restored to its place on the order of third reading, and made a special order for Tuesday, April twenty-third.

Mr. Hamilton, from the committee on general laws, to which was referred the bill introduced by Mr. Rhodes, Int. No. 1118, entitled "An act to amend section 1 of chapter 814 of the Laws of 1873, entitled 'An act to extend the operation and effect of the act passed February 17, 1848, entitled An act to authorize the formation of corporations for manufacturing, mining mechanical or chemical purposes,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Rhodes, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and referred to the committee on revision.

Mr. Hamilton, from the committee on general laws, to which was referred the bill introduced by Mr. Hagan, Int. No. 778, entitled "An act to amend chapter 582 of the Laws of 1880, entitled 'An act to provide for excavating and tunneling and bridging for transportation purposes within villages and cities of this State,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Hagan, and by unanimous consent, said bill was made a special order for Tuesday, April twenty-third.

Mr. Gallup, from the committee on canals, to which was referred the bill introduced by Mr. Guenther, Int. No. 1099, entitled "An act to provide for improving the channels of Fox creek and the ditches tributary thereto, in the northern part of the town of Amherst, in the county of Erie, and making an appropriation therefor," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Guenther, and by unanimous consent the rules were suspended and said bill ordered to a third reading and made a special order for Thursday, April twenty-fifth.

Mr. Gallup, from the committee on canals, to which was referred the Senate bill introduced by Mr. Coggeshall, Int. No. 224, entitled "An act to appropriate moneys for repairs to the Erie canal and to authorize such repairs to be made," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Kent, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and made a special order for Monday, April twenty-second.

Mr. Graham offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on general laws be discharged from the further consideration of the bill (Int. No. 1000) entitled "An act to provide for the amicable adjustment of grievances and disputes that arise between railroad corporations and other chartered corporations and their employés," and that the same be committed to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members present voting in favor thereof.

{ AYES 43 }
{ NOES 39 }

Those who voted in the affirmative, were

Bauer	Endres	Kelly	Mullaney	Schaaff
Blake	Greene	Kent	Murray	Sheehan
Blanchfield	Guenther	Kerrigan	Newschafer	Strassburg
Blumenthal	Haffner	Little	O'Neil	Sullivan
Bush, R. P.	Hagan	Longley	Rice	Tefft
Cottrell	Haggerty	Martin	Roesch	Towne
Cronin	Harwood	McCann	Ryan	Townsend
Demarest	Hayes	McCarren	Savery	Yates
Duffy	Hitt	Miley		

Those who voted in the negative, were

Acker	Coon	Edwards	Loder	Sperry
Aspinall	Crosby	Fish	Mase	Stevens
Baker, A. B.	Curtis	Flaherty	McMaster	Van Gorder
Baker, A. H.	Dante	Gallup	Mead	West
Brownell	Davidson	Hamilton	Moffitt	Whipple
Cheney	de Peyster	Husted	Moody	Youngman
Clark, J.	Dinehart	Kimball	Saunders	Speaker
Comstock	Donaldson	Lewis	Sheldon	

Mr. Kimball, from the committee on railroads, to which was referred the bill introduced by Mr. Bauer, Int. No. 38, entitled "An act to amend chapter 529 of the Laws of 1887, entitled 'An act to regulate the hours of labor on the street, surface and elevated railroads chartered by the State in cities of 100,000 inhabitants and over,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Bauer offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on railroads be discharged from the further consideration of Assembly bill No. 469, entitled "An act to amend chapter 622 of the Laws of 1887, entitled 'An act to amend chapter 642 of the Laws of 1886, entitled An act to amend chapter 65 of the Laws of 1886, entitled An act to secure adequate compensation for the right to construct, maintain, use, operate or extend street railroads in cities and villages,'" and that the same be committed to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Sheehan moved that the House do now resolve itself into a committee of the whole upon said bill.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bill entitled as follows :

"An act to amend chapter 622 of the Laws of 1877, entitled 'An act

to amend chapter 642 of the Laws of 1886, entitled An act to amend chapter 65 of the Laws of 1886, entitled An act to secure adequate compensation for the right to construct, maintain, use, operate or extend street railroads in cities and villages.'"

After some time spent therein, Mr. Speaker resumed the chair, and Mr. Husted, from said committee, reported progress on the same, and asked and obtained leave to sit again.

On motion of Mr. Loder, the committee of the whole was discharged from the further consideration of said bill, and the same was ordered to a third reading.

On motion of Mr. Sheehan, said bill was made a special order for Monday evening next.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Fish, Int. No. 1182, entitled "An act to amend sections 172, 192 and 214 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interest in the city of New York, relating to the bonds and stocks of said city,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Fish, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on revision.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Bauer, Int. No. 917, entitled "An act to authorize and empower the city of Rochester to acquire lands, waterways, ponds and streams in the city of Rochester, or in any of the towns adjoining said city or easement either perpetual or for a term of years in any such lands, waterways, ponds or streams for the purpose of drainage or sewerage," reported in favor of the passage of the same, with amendments, which report was agreed to.

On motion of Mr. Bauer, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

On motion of Mr. Crosby, said bill was recommitted to the committee on affairs of cities, retaining its place on the order of third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Saunders, Int. No. 743, entitled "An act to amend chapter 129 of the Laws of 1872, entitled 'An act to amend an act passed May 3, 1870, entitled An act to amend an act to incorporate the city of Troy, passed April 12, 1816, and the several acts amendatory of said chapter 129 relative to the making of public improvements in said city, and assessments therefor, and to authorize said city to contribute to the expense of such improvements and to issue bonds therefor, and to create a public improvement commission in said city and define its powers and duties,'" reported in favor of the passage of the same, with amendments, which report was agreed to and said bill restored to its place on the order of third reading, and made a special order for Monday, April twenty-second.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McCann, Int. No. 867, entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws

affecting public interest in the city of Brooklyn touching local improvements and the department of fire," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McCarren, Int. No. 1193, entitled "An act to amend section 13 of title 11 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,'" reported in favor of the passage of the same, which report was agreed to and said bill restored to its place on the order of third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. C. C. Clarke, Int. No. 854, entitled "An act to amend section 1000 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, relating to charges of commissioners of estimate and assessment,'" reported in favor of the passage of the same, with amendments, which report was agreed to.

On motion of Mr. Clarke, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and referred to the committee on revision.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. C. C. Clarke, Int. No. 1060, entitled "An act to amend subdivision 2 of sections 125, 316, 317, 350, 353 and 921 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, relating to water rents in said city,'" reported the same for the consideration of the House, and said bill committed to the committee of the whole.

On motion of Mr. Crosby, it was ordered that said bill, when printed, be recommitted to the committee on affairs of cities.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. C. C. Clarke, Int. No. 332, entitled "An act to amend section 916 and 997 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, relative to serving notice when property is assessed,'" reported in favor of the passage of the same, with amendments, which report was agreed to.

On motion of Mr. Clarke, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading, and referred to the committee on revision.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Longley, Int. No. 729, entitled "An act to provide for certain improvements in the eighth ward in the city of Brooklyn," reported in favor of the passage of the same, with amendments, which report was agreed to.

On motion of Mr. Longley, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and referred to the committee on revision.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Bauer, Int. No. 918, entitled "An act to amend chapter 193 of the Laws of 1888, entitled 'An act to authorize the selection, location and acquiring of certain grounds for public parks and parkways in and near the city of Rochester, and to provide for the maintenance and embellishment thereof,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. C. C. Clarke, Int. No. 224, entitled "An act to amend section 390 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' as the same is amended by chapter 149 of the Laws of 1888," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. C. C. Clarke, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on revision.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Endres, Int. No. 1185, entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of purchasing school lots, and erecting, enlarging, repairing and furnishing school buildings," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hamilton, Int. No. 734, entitled "An act to amend section 712 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, relating to the water front,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McCarren, Int. No. 137, entitled "An act to amend title 20 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,'" reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Andrus, Int. No. 337, entitled "An act to amend chapter 436 of the Laws of 1880, entitled 'An act to establish a police department of the city of Buffalo, and to provide for the government thereof,'" reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to amend chapter 436 of the Laws of 1880, entitled 'An act to establish a police department in the city of Buffalo, and to provide for the gov-

ernment thereof,' as amended by chapter 359 of the Laws of 1883, relating to the police department," which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McCann, Int. No. 26, entitled "An act relative to the cleaning of the streets, avenues, alleys and public places in the city of Brooklyn, and to provide the means of payment for the same," reported in favor of the passage of the same, with amendments, which report was agreed to.

On motion of Mr. McCann, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on revision.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Haggerty, Int. No. 728, entitled "An act to amend section 1 of title 19, entitled local improvements of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interest in the city of Brooklyn,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Le Roy, Int. No. 616, entitled "An act for the better protection of life and health, and to provide for the licensing of mason builders in cities of this State," reported adversely thereto, which report was, in the absence of Mr. Le Roy, laid upon the table.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. de Peyster, Int. No. 1096, entitled "An act to amend chapter 239 of the Laws of 1866, entitled 'An act to incorporate the Poughkeepsie associated fire department of the city of Poughkeepsie,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Gibbs, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Worth, Int. No. 48, entitled "An act to amend title 11 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interest in the city of Brooklyn,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Crosby, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. O'Connor, Int. No. 198, entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interest in the city of Brooklyn in reference to interest on assessments,'" reported in favor of the passage of the same, with amendments, which report was agreed to.

On motion of Mr. Sperry, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. O'Connor, Int. No. 240,

entitled "An act to reserve certain parts of Prospect park in the city of Brooklyn from sale, and to authorize leases thereof for art and science museums and libraries," reported in favor of the passage of the same, which report was agreed to and said bill restored to its place on the order of third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. O'Connor, Int. No. 244, entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interest in the city of Brooklyn so far as relates to contracts,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Sperry, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Murphy, Int. No. 81, entitled "An act to authorize the comptroller of the city of New York to examine the claim of James A. Monaghan, and to pay the amount justly due," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Creamer, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Ives, Int. No. 117, entitled "An act to provide for the completion of the inclosure of Morningside park and of the bays and approaches to and of the sidewalks bounding said park in the city of New York," reported in favor of the passage of the same, with amendments, which report was agreed to.

On motion of Mr. Connelly, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Hawkins, Int. No. 257, entitled "An act to amend section 5 of chapter 100 of the Laws of 1879, entitled 'An act relating to and to reduce the expenses of the city government of Long Island City,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Youngman, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Mullaney, Int. No. 1057, entitled "An act to amend section 773 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Martin moved to recommit said bill to the committee on commerce and navigation.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Youngman, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Miller, Int. No. 978, entitled "An act to amend chapter 388 of the Laws of 1879, entitled

'An act to amend chapter 549 of the Laws of 1867, entitled An act to amend an act passed February 11, 1860, entitled An act in relation to the cutting of ice in the Hudson river, providing additional safeguards for travelers and teams and conferring jurisdiction over offenses mentioned in said act,' reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 573 of the Laws of 1886, entitled 'An act to revise, consolidate and amend chapter 287 of the Laws of 1879, and chapter 362 of the Laws of 1880, relating to the formation of town and county coöperative insurance companies and the acts amendatory thereof'" (No. 856), reported the same with the recommendation that it be amended as follows:

Section 1, line 1, strike out the words "said act" and insert the words "chapter 573 of the Laws of 1886, entitled 'An act to revise, consolidate and amend chapter 287 of the Laws of 1879, and chapter 362 of the Laws of 1880, relating to the formation of town and county coöperative insurance companies and the acts amendatory thereof.'"

Section 2, lines 1 and 2, strike out all after the word "of" first occurring in line 1, down to and including the word "eighty-six" in line 2.

Section 3, line 2, strike out the word "additional."

Strike out all of section 4.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing, special and local laws affecting public interests in the city of Brooklyn,' so far as relates to auxiliary sewers'" (No. 1109), reported the same with the recommendation that it be amended as follows:

Section 1, line 1, after the word "of" insert the words "chapter 583 of the Laws of 1888;" same line, strike out the words "the act."

Same section, lines 3 and 4, strike out all after the word "Brooklyn" in line 3, down to and including the word "eighty-eight" in line 4.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to repeal chapter 170 of the Laws of 1866, relative to the village of Montezuma" (No. 1106), reported the same with the recommendation that it be amended as follows:

Section 1, line 2, after the word "sixty-six" insert the words "and the acts amendatory thereof and supplemental thereto."

Amend the title by inserting after the word "sixty-six" in line 2 the words "and the acts amendatory thereof and supplemental thereto."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend section 343 of the Penal Code, relating to wagers, betting and gambling" (No. 943), reported the same with the recommendation that it be amended as follows:

Section 1, lines 1 and 2, strike out the words "of the State of New York."

Same section, line 14, strike out the word "are" and insert the word "is" in place thereof.

Same section, lines 17 and 18, strike out the words "passed May twenty-sixth, one thousand eight hundred and eighty-seven."

Same section, line 19, after the word "which" insert the word "and."

Same section, line 20, strike out the word "an."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to prohibit the sale and use of intoxicating liquors at State, county and town fairs, and at county reunions or encampments of organized associations of veterans of the late war, and within 200 yards of the place or premises where such fairs and reunions or encampments are held" (No. 738), reported the same with the recommendation that it be amended as follows:

Section 1, line 1, after section number, insert the words "section one of chapter thirty-five of the laws of one thousand eight hundred and eighty-eight, entitled 'An act to prohibit the sale and use of intoxicating liquors at State and county fairs,'" is hereby amended so as to read as follows:

Strike out all of sections 2, 3 and 4, and change "§ 5" to "§ 2."

Amend the title so as to read as follows:

"An act to amend chapter thirty-five of the laws of one thousand eight hundred and eighty-eight, entitled 'An act to prohibit the sale and use of intoxicating liquors at State and county fairs,' extending the prohibition to encampments of veterans of the late war."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 586 of the Laws of 1888, entitled 'An act providing for the proper employment of convicts in the penal institutions of the State, and making an appropriation necessary to prevent the prisoners from remaining in idleness'" (No. 630), reported the same with the recommendation that it be amended as follows:

Section 1, line 1, strike out the words "the act" and insert in place thereof the words "chapter 586 of the Laws of 1888."

Section 2, line 1, after the word "of" strike out the word "the" and insert the word "said" in place thereof.

Same section, lines 1, 2, 3 and 4, after the word "act," first time occurring in line 1, strike out all down to and including the word "idleness," in line 4.

Section 3, line 1, after the word "three" insert the words "of said act."

Change "§ 4" to "§ 5" and "§ 5" to "§ 4."

Section 5, line 1, after the word "five" insert the words "of said act."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to provide for the payment of the salary of John A. Stemmler, as justice of the district court in the city of New York, for the seventh judicial district" (No. 847), reported the same with the recommendation that it be amended as follows:

Section 1, line 19, after the word "claim" insert the words "as may be."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to alter the commissioners' map of the city of Brooklyn" (No. 946), reported the same with the recommendation that it be amended as follows:

Section 1, lines 2 and 3, strike out the words "an act of the Legislature" and insert "chapter 296 of the Laws of 1852," in place thereof.

Same section, lines 5 and 6, strike out all after the word "Kings" in line 5, down to and including the word "fifty-four" in line 6.

Same section, line 12, change the word "run" to "running."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to appropriate moneys to improve and protect the navigation of the Delaware river at or near Cochection, in the county of Sullivan" (No. 1101), reported the same with the recommendation that it be amended as follows:

Section 1, line 2, after the word "appropriated" insert the words "upon the warrant of the Comptroller, payable by the treasurer of the Superintendent of Public Works."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to increase the salaries of police patrolmen in Long Island City" (No. 913), reported the same with the recommendation that the title be amended by striking out the word "increase" and inserting the word "regulate" in place thereof.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act ceding jurisdiction to the United States of America over two certain pieces of land in the East river, New York, for the purpose of establishing thereon lights or other aids to naviga-

tion" (No. 1032), reported the same with the recommendation that it be amended as follows:

Section 1, line 1, strike out the words "that the," and insert the word "the" in place thereof, and strike out the word "be" and insert the words "is hereby" in place thereof.

Same section, line 2, strike out the words "following described," and same line, after the word "land" insert the words "described in the next section of this act."

Section 2, line 4, after the word "State" insert the word "also," and merge section 3, with section 2, so as to make one section.

Change "§ 4" to "§ 3."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to provide for the appointment of a police marshal in and for the first collection district of the town of Water-vliet, county of Albany" (No. 1118), reported the same with the recommendation that it be amended as follows:

Section 6, add at the end of line 5, the words "and collected at the same time other taxes are collected."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the compensation of Hell-Gate pilots" (No. 954), reported the same with the recommendation that it be amended as follows:

Amend the title by striking out the word "amend" and inserting in place thereof the words "repeal section twenty-one hundred and thirty-four of."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to authorize the establishment of an electric plant for the purpose of lighting the city of Jamestown, N. Y., with electric light, and to empower the common council of said city to raise the necessary funds therefor" (No. 1028), reported the same with the recommendation that it be amended as follows:

Section 2, line 6, strike out the word "thereon" after the word "payable," and insert the words "on said bonds" in place thereof.

Same section, line 7, insert the words "said bonds" before the word "shall."

Same section, line 11, strike out the word "be" and insert the word "are" in place thereof.

Section 3, line 12, strike out the word "and" and insert the word "but" in place thereof; same line, after the word "such" insert the word "deficiency."

Same section, line 13, strike out the word "therefrom" and insert the words "from said general fund."

Section 6, line 1, strike out the words "is hereby invested with and."

Same section, line 2, after the word "itself" insert the words "and the."

Same section, line 3, strike out the words "agreed upon the amount of" and insert the words "to fix the compensation."

Same section, line 4, strike out the words "compensation therefor" and insert the words "same for services, and the expense of operating said plant" in place thereof."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 198 of the Laws of 1876, entitled 'An act to amend chapter 140 of the Laws of 1850, entitled An act to authorize the formation of railroad corporations and to regulate the same, so far as the same relates to cities of less than 1,000,000 inhabitants'" (No. 508), reported the same with the recommendation that it be amended as follows:

Section 1, line 1, after section number strike out the words "section three of;" same line, after the word "chapter" strike out the word "of."

Same section, lines 5 and 6, after the word "amended" in line 5, strike out all down to and including the word "follows" in line 6.

Same section, line 6, after the word "follows" insert the words "by adding thereto the following sections, to be numbered six, seven, eight, nine, ten and eleven, which shall read as follows."

Same section, line 7, after section mark strike out "3" and insert "6" in place thereof.

Make "§ 2" "§ 7."

Same section, line 4, strike out the words "this act" and insert the words "the act hereby amended" in place thereof.

Make "§ 3" "§ 8."

Make "§ 4" "§ 9."

Make "§ 5" "§ 10."

Make "§ 6" "§ 11."

Make "§ 7" "§ 12."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to create a board of park commissioners in and for the city of Utica" (No. 519), reported the same with the recommendation that it be amended as follows:

Section 1, line 4, after the word "city" insert the words "of Utica."

Same section, line 12, before the word "city" insert the word "said."

Same section, line 21, after the word "years" insert the word "thereafter."

Same section, line 22, after the word "successors" insert the words "are chosen and."

Section 2, line 10, after the word "person" insert the words "elected or appointed."

Same section, line 11, strike out the word "their" and insert the word "his" in place thereof, and after the word "and" insert the word "he."

Same section, line 13, strike out the word "office."

Section 3, line 3, strike out the word "their" and insert the word "his" in place thereof.

Same section, line 4, strike out the word "of."

Same section, line 5, change the word "shall" to "is."

Section 4, lines 9 and 10, strike out the words "those to supply" and insert the words "the one" in place thereof.

Same section, line 10, after the word "appointed" insert the words "to supply."

Section 5, line 2, after the word "death" insert the word "or," and after the word "writing" strike out the words "signed by the" and insert the words "of any" in place thereof.

Same section, line 3, after the word "office" insert the word "or," and strike out the word "therein" and insert the word "or" in place thereof.

Same section, line 4, after the word "city" insert the word "or."

Section 6, line 9, before the word "submit" insert the word "may," and after the word "such" insert the word "legal."

Section 7, line 4, insert the words "they may" before the word "also."

Section 8, line 11, after the word "be" insert the words "made by said commissioners."

Same section, line 16, after the word "report" insert the words "shall be" and strike out the words "are hereby;" also, after the word "declared" insert the words "in pursuance of this act," and insert the words "for a" before the word "public."

Same section, line 18, after the word "for" insert "a;" also, after the word "parks" strike out the word "and" and insert the word "with" in place thereof, and before the word "public," second time occurring, insert the word "the."

Same section, line 22, strike out the word "would" and insert the word "may" in place thereof.

Same section, line 27, strike out the word "therefor" and insert the words "the same" in place thereof, and strike out the word "same" and insert the words "amount required for such purpose."

Section 9, line 3, insert the words "if approved" before the word "shall."

Same section, line 4, insert the word "may" before the word "decide;" also, after the word "decide" insert the word "thereupon," and after the word "take" insert the word "the."

Same section, line 8, after the word "and" insert the words "said common council."

Same section, line 13, after the word "hear" insert the word "all," and strike out the word "then" and insert the words "at such time and place" in place thereof.

Section 10, line 2, strike out the word "of" and insert the word "by" in place thereof.

Same section, line 10, after the word "person" insert the words "or persons."

Section 11, strike out the word "it" and insert the words "said court" in place thereof.

Section 12, line 6, insert the word "such" before the word "hearing."

Same section, line 14, insert the word "determine" before the word "ascertain."

Same section, line 16, after the word "they" insert the words "or a majority thereof."

Section 13, line 5, after the word "court" insert the words "within the judicial district or department."

Same section, line 6, after the word "report" insert the words "of the commissioners of appraisement."

Same section, line 7, after the word "order" insert the words "for the hearing of said application to," and before the word "report" insert the word "said."

Same section, line 9, after the word "appraised" insert the word "and."

Same section, line 10, after the word "and" insert the word "it."

Section 14, line 1, after the word "orders" insert the words "made by said court."

Same section, line 3, strike out the word "provided" and insert the word "directed" in place thereof.

Section 15, line 4, strike out the word "and" before the word "may" and insert the word "or" in place thereof.

Same section, line 6, strike out the words "order are to" and insert the words "distribution should" in place thereof.

Section 16, line 3, strike out the word "they" and insert the word "it" in place thereof.

Same section, line 5, strike out the word "and" and insert the word "but" in place thereof.

Same section, line 7, after the word "city" insert the words "to land taken," and strike out the word "same" and insert the words "said proceedings" in place thereof.

Same section, line 12, strike out the words "are authorized to" and insert the word "shall" in place thereof.

Section 20, line 23, insert the word "in" before the word "any."

Same section, line 24, strike out the word "and" after the words "New York" and insert the word "but."

Same section, line 41, strike out the word "and" and insert the words "which compensation and expense" in place thereof.

Section 22, line 6, after the word "court" strike out the word "shall" and insert the word "may" in place thereof.

Same section, line 10, add at the end thereof the words "if the said complaint be sustained."

Section 23, line 2, insert the word "common" at the beginning of the line.

Same section, line 8, after the word "which" insert the word "however."

Same section, line 10, after the word "collected" insert the words "upon the taxable property of the city of Utica."

Section 26, line 8, after the word "the" insert the word "city."

Section 27, line 5, after the word "parks" insert the words "and the approaches, may be."

Same section, line 7, insert the word "but" in place of "and."

Section 28, line 5, after the word "or" insert the words "by said fine and imprisonment."

Section 30, line 5, after the word "bidder" insert the word "and."

Same section, line 13, strike out the word "against" and insert the word "for" in place thereof.

Same section, line 14, strike out the word "to" and insert the words "that may" in place thereof.

Section 35, line 1, strike out the words "and laws" and insert the words "and parts of acts" in place thereof.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend section 7 of chapter 318 of the Laws of 1878, entitled 'An act to amend chapter 466 of the Laws of 1877, entitled An act in relation to assignments of the estates of debtors for the benefit of creditors'" (No. 1083), reported the same with the recommendation that it be amended as follows:

Section 1, line 1, strike out the word "seven" and insert the word "twenty-six" in place thereof; also, strike out the word "three" and insert the word "four" in place thereof; also, strike out the word "eighteen" and insert the word "six" in place thereof.

Same section, line 2, strike out the word "eight" and insert "seven, as amended by chapter 318 of the Laws of 1878."

Amend the title by striking out all after the word "section" in line 1, down to and including the word "amend" in line 3; after the word "section," in line 1, insert the words "twenty-six of;" also, add at the end of line "as amended by chapter 318 of the Laws of 1878, relating to trials of disputed claims and costs."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to prohibit the St. Regis Indians residing in the Dominion of Canada from trespassing and settling upon that portion of the reservation of the St. Regis Indians residing in this State" (No. 1123), reported the same with the recommendation that it be amended as follows:

Section 2, line 5, strike out the words "shall be" and insert the word "is" in place thereof."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend title 1 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' so as to create the Twenty-seventh ward" (No. 944),

reported the same with the recommendation that it be amended as follows :

Section 2, line 1, strike out the word "said," and after the word "title" insert "one of said act."

Section 2, line 13, strike out the words "The said title" and insert the words "Title one of said act" in place thereof, and add at the end of line the words "a new section, to be numbered twenty-nine, which shall read as follows."

Amend the title by striking out the words "title one of" in line 1.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to provide for the revision and codification of the laws for the protection and preservation of fish and shell-fish, and of birds and quadrupeds" (No. 1058), reported the same with the recommendation that the title be amended by adding at the end thereof the words "and making an appropriation therefor."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act regulating vaccination in the State of New York" (No. 900), reported the same with the recommendation that it be amended as follows:

Section 1, line 10, after the word "thereof" insert the words "shall be."

Section 2, line 6, strike out the word "they" and insert the words "said person" in place thereof.

Same section, line 6, after the word "thereof," insert the words "shall be."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to prevent the adulteration of strong or spirituous liquors, wines, ale or beer" (No. 1135), reported the same with the recommendation that it be amended as follows:

Section 3, line 1, after the word "spirituous," insert the word "liquors."

Section 5, line 13, strike out the words "subject to the right of any person."

Same section, line 35, strike out the word "are" and insert the word "is" in place thereof.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendation:

"An act to protect fish in the Embogcht bay, on the Hudson river, in the county of Greene." (No. 1121.)

"An act to authorize the Board of Claims to hear, audit and determine

the claims of Milton Pelton, Willis Edson, O. A. Howe, George P. Bassett, James A. Francisco, Phelps Knapp, Daniel Miller, Martin Gillett, Asahel Brainard, Jason Gregory, Willard Fuller, James B. Fuller, Jarvis A. Fuller, Nathan H. Fuller, William Baker, Jr., John Sprague, Chester Fuller and Anson B. Fuller, for bounty under chapter 29 of the Laws of 1865, and the several acts amendatory thereof, and to make an award thereon." (No. 898.)

"An act to provide for the erection and maintenance of a free public bathing-house in the city of New York." (No. 1113.)

"An act to amend chapter 265 of the Laws of 1887, entitled 'An act to protect primary elections and conventions of political parties, and to punish offenses committed thereat.'" (No. 851.)

"An act to fix the compensation of the surrogate in the city and county of New York." (No. 119.)

"An act to authorize towns to raise money to defray the expense of the proper observance of Memorial or Decoration day." (No. 742.)

"An act to regulate the charges of telephone companys." (No. 987.)

"An act relative to common schools in the city of New York, and providing for the employment of assistant teachers in certain cases." (No. 1126.)

"An act to amend chapter 679 of the Laws of 1887, entitled 'An act to regulate the sale of strong and spirituous liquors, wines, ale or beer in quantities of five gallons or upward.'" (No. 1124.)

"An act to amend section 2 of chapter 283 of the Laws of 1850, entitled 'An act to amend the Revised Statutes, relating to grants of land under water.'" (No. 1122.)

"An act authorizing the construction of a bridge over the Champlain canal at the farm-crossing of the late S. C. Rathbun, in the town of Whitehall, and making an appropriation therefor." (No. 1115.)

"An act authorizing the construction and erection of a bridge over the Champlain canal at the farm-crossing on the farm of Amanda M. Johnson in the town of Whitehall, and making an appropriation therefor." (No. 1116.)

"An act to release to George Feller the title and interest of the people of the State of New York in and to certain lands in the county of Allegany, descended to him as heir-at-law of Christian Feller, his son, late of the town of Willing, in said county, deceased." (No. 1103.)

"An act to authorize the purchase of sites and the erection of buildings for municipal purposes in the city of Brooklyn." (No. 1111.)

"An act in relation to local improvements in the city of Brooklyn, and to provide for the issue of bonds for the same." No. 1110.

"An act to repeal chapter 602 of the Laws of 1871, entitled 'An act to authorize the construction of a bridge for railroad purposes over the Erie canal, in the city of Utica,' and to empower and direct the Superintendent of Public Works to remove the same." (No. 1117.)

"An act for the construction of a vertical retaining wall, in place of the sloped wall constructed along the northerly or towing-path side of the canal in the town of Royalton, county of Niagara, from the east line of Charles Day's land, 300 feet, and to make an appropriation therefor." (No. 1114.)

"An act relating to the expenditures of the department of docks in the city of New York." (No. 1005.)

"An act requiring clerks of the counties of this State to execute bonds for the faithful discharge of their duties, and to account for and pay over all moneys deposited with them as such clerks, pursuant to law or the orders of courts." (No. 669.)

"An act for the construction of a bridge across South bay, in the county of Washington, and making an appropriation therefor." (No. 1006.)

"An act to amend section 280 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, concerning penalty for resisting policemen by force or for falsely personating policemen or wearing insigna, uniform or distinctive apparel such as are worn by the police.'" (No. 1002.)

"An act to revise and amend chapter 574 of the Laws of 1865, entitled 'An act to revise, consolidate and amend the act to incorporate the village of Stillwater,' passed April 17, 1816, and the act to amend the same, passed March 17, 1860, and to revise and amend chapter 169 of the Laws of 1873, entitled 'An act to amend an act entitled An act to revise, consolidate and amend the act to incorporate the village of Stillwater.'" (No. 834.)

"An act to provide for labeling bottles, boxes or other receptacles containing oil or lard, of which cottonseed oil is a component part." (No. 1088.)

"An act in relation to the taxation of the structures of elevated railroads in cities of less than 1,000,000 of inhabitants." (No. 1133.)

"An act to improve the sanitary condition of the capitol, and making an appropriation therefor." (No. 1081.)

"An act to authorize the fixing of salaries of patrolmen acting as precinct detectives of police in the city of New York." (No. 1085.)

"An act to prohibit police officials or their subordinates from being interested in the manufacture or sale of any spirituous or malt liquors, ales, wines or beer, or in the sale of ball or amusement tickets." (No. 1054.)

"An act to authorize the Board of Claims to hear, audit and determine the claim of Charles B. Bensen, and to make an award thereon." (No. 1125.)

"An act to amend chapter 479 of the Laws of 1887, entitled 'An act prescribing the period in each year during which, and the terms under which racing may take place upon the grounds of associations incorporated for the purpose of improving the breed of horses, and suspending the operation of certain sections of the Penal Code.'" (No. 545.)

"An act to amend chapter 572 of the Laws of 1886, entitled 'An act in relation to certain actions against municipal corporations.'" (No. 729.)

"An act to extend the time for the completion of the Hudson Tunnel Railway." (No. 1132.)

"An act to amend section 681 of the Code of Criminal Procedure, relating to indictments against corporations." (No. 1120.)

"An act to amend chapter 497 of the Laws of 1884, entitled 'An act to amend chapter 141 of the Laws of 1871, entitled An act to abolish tolls on certain roads and bridges in the towns of Newtown and

Flushing, in the county of Queens, and provide compensation therefor.'” (No. 774.)

“An act to amend chapter 175 of the Laws of 1883, entitled ‘An act to provide for the incorporation and regulation of coöperative or assessment life and casualty insurance associations and societies,’ as amended by chapter 285 of the Laws of 1887.” (No. 1033.)

“An act to enable the mayor and common council of Long Island City to borrow money for the purpose of increasing the water supply and laying additional water pipes in said city.” (No. 1105.)

“An act to authorize the purchase of sites and the erection of buildings for school purposes in the city of Brooklyn, and to provide the means therefor.” (No. 1112.)

Ordered, That said bills be engrossed for a third reading.

Mr. Husted introduced a bill entitled “An act to amend chapter 410 of the Laws of 1882, entitled ‘An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,’ relative to pension fund for the park police” (No. 1214), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled “An act to provide for the appointment of additional notaries public” (No. 1215), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and printed, and referred to the committee on revision.

Mr. Curtis, from the committee on excise, to which was referred the bill introduced by Mr. Crosby, Int. No. 1101, entitled “An act to regulate the sale of ale and beer,” reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cheney, from the committee on affairs of villages, to which was referred the bill introduced by Mr. de Peyster, Int. No. 1198, entitled “An act to ratify and confirm the acts of the president and trustees of the village of Tivoli in certain cases,” reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading, and made a special order for Wednesday, April twenty-fourth.

Mr. Cheney, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Brownell, Int. No. 532, entitled “An act to amend chapter 505 of the Laws of 1873, entitled ‘An act to reorganize the village of Gloversville,’ and the several acts amendatory thereof,” reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill restored to its place on the order of third reading and made a special order for Monday evening, April twenty-second.

Mr. Cheney, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Murphy, Int. No. 172, entitled “An act further to amend chapter 819 of the Laws of 1866, entitled ‘An act to incorporate the village of New Brighton,’ reported in favor of the passage of the same, with amendments, which report was agreed to.

On motion of Mr. Speaker, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Cheney, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Murphy, Int. No. 274, entitled "An act to amend section 1 of title 3, of chapter 79 of the Laws of 1886, entitled 'An act to amend the charter of the village of Edgewater,'" reported in favor of the passage of the same, with amendments, which report was agreed to and said bill restored to its place on the order of third reading.

On motion of Mr. Dinkelspiel, said bill was made a special order for Monday April twenty-second.

Mr. Whipple, from the committee on insurance, to which was referred the bill introduced by Mr. Ainsworth, Int. No. 1024, entitled "An act to amend chapter 175, of the Laws of 1883, entitled 'An act to provide for the incorporation and regulation of co-operative or assessment life and casualty insurance associations and societies, as amended by chapter 285 of the Laws of 1887,'" reported in favor of the passage of the same, with amendments, which report was agreed to and said bill restored to its place on general order.

Mr. Whipple, from the committee on insurance, to which was referred the bill introduced by Mr. Whipple, Int. No. 1173, entitled "An act to prevent insurance companys, their officers, managers or agents from including in the premium mentioned in policies of insurance, any policy fee, survey fee or other fee, perquisite, or compensation than the premium charged for the insurance," reported in favor of the passage of the same, which report was agreed to and said bill restored to its place on the order of third reading.

Mr. Whipple, from the committee on insurance, to which was referred the bill introduced by Mr. Cronin, Int. No. 680, entitled "An act to provide for the application and distribution of receipts from premiums collected and to be collected from foreign fire insurance companies doing business in New York State under and pursuant to chapter 604 of the Laws of 1886," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Whipple, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and referred to the committee on revision.

Mr. Moody, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Walters, Int. No. 890, entitled "An act to repeal chapter 186 of the Laws of 1874, entitled 'An act for the relief of the president, directors and company of the Schoharie Kill Bridge Company,'" reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Towne, from the committee on claims, to which was referred the Senate bill introduced by Mr. Cantor, Int. No. 176, entitled "An act for the relief of Michael J. McCabe," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Nixon, from the committee on internal affairs, to which was referred the bill introduced by Mr. Dinehart, Int. No. 786, entitled "An act to regulate the compensation of the board of supervisors of

the county of Columbia," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Dinehart, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and made a special order for Thursday, April twenty-fifth.

Mr. Nixon, from the committee on internal affairs, to which was referred the bill introduced by Mr. Cronin, Int. No. 1027, entitled "An act to regulate the charges of auctioneers for the sale of personal property," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Cronin, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on revision.

Mr. Nixon, from the committee on internal affairs, to which was referred the bill introduced by Mr. Graham, Int. No. 794, entitled "An act to amend chapter 556 of the Laws of 1886, entitled 'An act establishing a board of improvement and defining its powers and duties, and to provide for lighting the streets and other places in the town of New Utrecht, in the county of Kings,'" reported in favor of the passage of the same, with amendments, which report was agreed to and said bill restored to its place on the order of third reading.

Mr. Nixon, from the committee on internal affairs, to which was referred the bill introduced by Mr. Townsend, Int. No. 949, entitled "An act to prevent certain digging, taking or carrying away of sand, gravel or earth in the town of North Hempstead, in the county of Queens," reported the same for the consideration of the House, with amendments, and the title amended so as to read "An act to amend subdivision 4 of section 640 of the Penal Code," which report was agreed to and said bill restored to its place on the order of third reading.

Mr. Nixon, from the committee on internal affairs, to which was referred the bill introduced by Mr. Nixon, Int. No. 987, entitled "An act to amend chapter 458 of the Laws of 1887, entitled 'An act to prevent deception and fraud by owner or owners or agents who who may have control of any stallions kept for service, by proclaiming or publishing fraudulent or false pedigrees, and to protect such owner or owners or agent in the collection of fees for the services of such stallion,'" reported in favor of the passage of the same, with amendments, which report was agreed to.

On motion of Mr. Nixon, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and referred to the committee on revision.

The Senate returned the concurrent resolutions recalling from the Governor, for the purposes of amendment, the following entitled Assembly bills, with a message that they have concurred in the passage of the same:

"An act to legalize and confirm the action of the legal voters of the town of Delaware at the annual town meeting held March 5, 1889." (Int. No. 1148.)

"An act transferring the powers conferred on the board of water commissioners of the village of Fredonia by chapter 97 of the Laws of

1882, and conferring the same upon the board of trustees of said village." (No. 927.)

Ordered, That the Clerk deliver said resolutions to the Governor.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' as amended by chapter 522 of the Laws of 1888, in relation to the powers, duties and health fund of the board of health, and of the health department of the city of New York, and for the preservation of the public health." (No. 546.)

"An act to amend and revise chapter 540 of the Laws of 1888, entitled 'An act to revise, consolidate and amend the several acts constituting the charter of the village of Mount Morris.'" (Int. No. 1175.)

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Husted moved that the House do now adjourn until Monday evening next at 8.15 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, the House adjourned.

MONDAY, APRIL 22, 1889.

The House met pursuant to adjournment.

Prayer by Rev. J. A. Littell.

On motion of Mr. Husted, the journal of Friday, April 19, was approved without being read.

Mr. Husted offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That the vote by which the concurrent resolution providing for final adjournment of the Legislature on the sixteenth day of May was adopted, be reconsidered.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Cheney (for Mr. Barton) offered for the consideration of the House a resolution, in the words following:

Resolved, That Senate bill No. 445, entitled "An act to provide for the erection of a State armory at the village of Glens Falls, in the county of Warren, and making an appropriation therefor" (Rec. No. 233), now on the order of third reading, be made a special order for Wednesday morning next, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Comstock introduced a bill entitled "An act granting the consent of the State of New York to the acquisition by the United States of certain lands for the purpose of the erection of a government

building at the city of Watertown, and ceding jurisdiction over the same" (Int. No. 1216), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Comstock, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Hornidge	Maynard	Saunders
Adams	Curtis	Hughes	McAdam	Savery
Ainsworth	Dante	Hunting	McCann	Smith, T.
Aspinall	Davidson	Husted	McCarren	Sperry
Baker, A. B.	Decker	Kelly	Mead	Stevens
Bauer	Dinkelspiel	Kent	Mesick	Strassburg
Blake	Donaldson	Kimball	Miley	Tefft
Blanchfield	Duffy	King	Miller	Towne
Brownell	Dunham	Lane	Moffitt	Treadway
Carson	Dunlap	Larmon	Murray	Upson
Cheney	Endres	Le Roy	Newschafer	Van Gorder
Comstock	Fitts	Little	O'Neil	West
Connelly	Gibbs	Loder	Pearsall	Whipple
Cottrell	Graham	Longley	Roesch	Yates
Creamer	Haggerty	Martin	Ryan	Young
Cronin	Hayes	Mase		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker called from the table the report of the subcommittee of the whole (Assem. Doc. No. 97), in favor of the passage of the following entitled bills:

Senate 200, Rec. No. 134, "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,' and as amended by chapter 269 of the Laws of 1884."

Int. 968, No. 942, "An act to amend chapter 119 of the Laws of 1888, entitled 'An act relating to employes of the various cities and counties of the State.'"

Int. 540, No. 677, "An act to provide for the compilation and enactment of a municipal code in the city of New York."

Int. 1036, No. 899, "An act to provide for the rehearing of the claim of John Fitzpatrick for extra work done and materials furnished for the State, under the direction of State officials, in the improvement of Fall creek, in Havana, Schuyler county."

Int. 787, No. 889, "An act to amend chapter 71 of the Laws of 1884, entitled 'An act to authorize the use of State armories by associations of discharged soldiers,' and the acts amendatory thereof."

Int. 666, No. 744, "An act to amend chapter 526 of the laws of 1887,

entitled "An act to relieve the towns of this State from damages sustained by persons while engaged in transporting traction engines along the highways of this State."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bills ordered to a third reading and referred to the committee on revision.

The Senate returned the bill entitled "An act to provide for the purchase of a site for and the erection of an armory in the city of Brooklyn and making an appropriation therefor, and to provide for the taking of real estate for such site by commission in case the same cannot be purchased by agreement" (No. 457), with a message that they have concurred in the passage of the same, with the following amendments:

(Reference to engrossed bill.)

Page 3, line 11, after the word "storehouse" insert the words "including suitable apparatus for heating and lighting the same."

Same page, line 12, after the word "range" insert the words "and all necessary fixtures for the same."

Same page, line 15, after the word "storehouse" insert the words "including suitable apparatus for heating and lighting the same."

Same page, line 16, after the word "range" insert the words "and all necessary fixtures."

Same page, line 18, strike out the word "two" and insert the word "four."

Same page, line 32, after the word "commission" insert the words "and the contract or contracts which shall be made for such work and the materials therefor shall provide that only \$150,000 of said sum appropriated by this act shall be required to be paid thereon by the State within one year from the making of such contract or contracts; and if there shall be more than one contract so made, each contract shall provide that only one-half of the amount to be paid thereon shall be paid by the State within one year from the date thereof."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dante	Hornidge	McCarren	Saxton
Adams	Davidson	Hughes	McLaughlin	Smith, T.
Ainsworth	Decker	Hunting	Mead	Sperry
Aspinall	Dinehart	Husted	Miley	Stevens
Baker, A. B.	Dinkelspiel	Kelly	Miller	Strassburg
Barton	Donaldson	Kent	Moffitt	Tefft
Bauer	Duffy	Kerrigan	Moody	Towne
Blanchfield	Dunham	Lane	Mullaney	Treadway
Brownell	Dunlap	Larmon	Murray	Upson
Carson	Edwards	Le Roy	Newschafer	Van Gorder
Cheney	Endres	Little	O'Neil	Walters

Clarke, C. C.	Fish	Loder	Pearsall	West
Comstock	Fitts	Longley	Peck	Whipple
Connelly	Gibbs	Martin	Roesch	Yates
Cottrell	Graham	Mase	Ryan	Yetman
Cronin	Hagan	Maynard	Saunders	Young
Curtis	Hayes	McAdam		COCHES

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

Mr. Saxton offered for the consideration of the House, a resolution in the words following:

Resolved, That Senate bill No. 585, entitled "An act to amend section 3 of chapter 439 of the Laws of 1884, entitled 'An act for the better protection of life and property upon the railroads of this State, to promote the safer and better management of steam railroads'" (Rec. No. 236), now on the order of third reading, be read the third time to-morrow morning immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate returned the bill entitled "An act to amend chapter 330 of the Laws of 1850, entitled 'An act reincorporating the village of Little Falls by the name of Rockton, and the several acts amendatory thereof'" (Int. 864), with a message that they have concurred in the passage of the same with the following amendment:

Section 1, line 1, strike out the word "two" and insert the word "eleven."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Hornidge	McAdam	Saunders
Adams	Curtis	Hughes	McCann	Saxton
Ainsworth	Dante	Huntting	McCarren	Smith, T.
Aspinall	Davidson	Husted	McLaughlin	Sperry
Baker, A. B.	Decker	Kent	Mead	Strassburg
Barton	Demarest	Kimball	Mesick	Sullivan
Bauer	Dinkelspiel	King	Miley	Tefft
Blake	Donaldson	Lane	Moffitt	Towne
Blanchfield	Duffy	Larmon	Moody	Treadway
Blumenthal	Dunham	Le Roy	Murray	Upson
Brownell	Fish	Little	Newschafer	Van Gorder
Carson	Fitts	Loder	O'Neil	West
Cheney	Gibbs	Longley	Pearsall	Whipple
Clarke, C. C.	Greene	Martin	Peck	Yates
Connelly	Hagan	Mase	Roesch	Yetman
Cottrell	Hayes	Maynard	Ryan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, {
ALBANY, April 19, 1889. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 927, entitled "An act transferring the powers conferred on the board of water commissioners of the village of Fredonia by chapter 97 of the Laws of 1882, and conferring the same upon the board of trustees of said village."

DAVID B. HILL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Hornidge	McAdam	Smith, T.
Adams	Dante	Hughes	McCann	Sperry
Ainsworth	Davidson	Hunting	Mead	Stevens
Aspinall	Decker	Husted	Mesick	Strassburg
Baker, A. B.	Dinkelspiel	Kent	Miley	Sullivan
Barton	Donaldson	Kerrigan	Moffitt	Tefft
Bauer	Duffy	King	Moody	Towne
Blake	Dunham	Lane	Murray	Treadway
Blanchfield	Dunlap	Larmon	Newschafer	Upson
Blumenthal	Fish	Le Roy	O'Neil	Van Gorder
Brownell	Fitts	Little	Pearsall	West
Carson	Gibbs	Loder	Peck	Whipple
Cheney	Graham	Longley	Roesch	Yates
Clarke, C. C.	Greene	Martin	Ryan	Yetman
Connelly	Hagan	Mase	Saunders	Young
Cottrell	Hayes	Maynard	Saxton	

The vote upon the final passage of the said bill having been reconsidered,

On motion of Mr. Towne, and by unanimous consent, the same was amended as follows:

Section 1, line 3, engrossed bill, strike out the word "ninety-seven" and insert in lieu thereof the word "sixty-seven."

Amend the title by striking out in line 5 the word "ninety-seven" and insert in lieu thereof the word "sixty-seven."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
 { NOES 00 }

Those who voted in the affirmative, were

Acker	Cotrell	Greene	McAdam	Sheldon
Adams	Creamer	Hagan	McCann	Smith, T.
Ainsworth	Cronin .	Hayes	McCarren	Sperry
Aspinall	Curtis	Hornidge	McLaughlin	Stevens
Baker, A. B.	Dante	Hughes	Mead	Strassburg
Barton	Davidson	Hunting	Mesick	Sullivan
Bauer	Decker	Husted	Miley	Tefft
Blake	Demarest	Kent	Moffitt	Towne
Blanchfield	Dinehart	Kerrigan	Moody	Treadway
Blumenthal	Donaldson	Lane	Murray	Upton
Brownell	Dunham	Larmon	Newschafer	Van Gorder
Carson	Dunlap	Le Roy	O'Neil	West
Cheney	Enz	Little	Pearsall	Whipple
Clarke, C. C.	Fish	Loder	Peck	Yates
Comstock	Fitts	Longley	Roesch	Yetman
Connelly	Gibbs	Maynard	Saunders	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein, as amended.

The Senate sent for concurrence the following entitled bills:

"An act to amend sections 172, 192 and 214 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the bonds and stocks of said city." (Rec. No. 294.)

On motion of Mr. Fish, and by unanimous consent, said bill was substituted for Assembly bill No. 1182, now on the order of third reading.

"An act to amend section 376 of the Code of Criminal Procedure, relating to particular causes of challenge of jurors" (Rec. No. 276), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for the construction of an iron bridge over the Tonawanda creek and Erie canal, connecting Main street in the village of North Tonawanda, in the county of Niagara, with Delaware street in the village of Tonawanda, in the county of Erie, and making an appropriation therefor" (Rec. No. 277), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Endres, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and committed to the committee on canals, retaining its place on the order of third reading.

"An act to provide for the erection of a State armory in the city of Utica, and making an appropriation therefor" (Rec. No. 278), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Kent, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

"An act supplementary to chapter 100 of the Laws of 1883, entitled 'An act to provide for the purchase of a site for, and the erection of, a State armory at the city of Troy, and making an appropriation therefor,' and the acts amendatory thereof" (Rec. No. 279), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. O'Neil, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and committed to the committee on ways and means, retaining its place on the order of third reading.

"An act to provide for the construction of fishways on all dams hereafter erected in this State on streams that are public highways" (Rec. No. 280), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act to incorporate the New York and Brooklyn Tunnel Company" (Rec. No. 281), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Speaker, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

"An act conferring jurisdiction upon the Board of Claims to hear and determine certain claims against the State, and to make awards" (Rec. No. 282), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act relative to the power of the board of street opening and improvement in the city of New York" (Rec. No. 283), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to amend section 983 of the Code of Civil Procedure, relating to change of venue in certain cases" (Rec. No. 284), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Ainsworth, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and committed to the committee on the judiciary, retaining its place on the order of third reading.

"An act to amend sections 3 and 4 of chapter 89 of the Laws of 1883, entitled 'An act to revise and amend the articles of incorporation of the Young Men's Christian Association of Buffalo'" (Rec. No. 285), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Van Gorder, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and committed to the committee on the judiciary, retaining its place on the order of third reading.

"An act authorizing the removal of the remains of deceased persons, now interred in the cemetery in the city of Lockport, known as the "Episcopal cemetery," and for their reinterment in Glenwood cemetery, in said city of Lockport" (Rec. No. 286), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Little, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

"An act in relation to local improvements in the town of Westchester" (Rec. No. 287), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Rhodes, and by unanimous consent, said bill was substituted for Assembly bill No. 1080, now on the order of third reading.

"An act to authorize the trustees of the village of Port Jervis to lay out a highway which shall connect Kingston avenue with a highway lately laid out by the commissioners of highways of the town of Deer Park" (Rec. No. 288), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Speaker, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

"An act for the relief of the Utica Belt Line Street Railroad Company" (Rec. No. 289), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Kent, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and committed to the committee on railroads, retaining its place on the order of third reading.

"An act to amend chapter 283 of the Laws of 1885, entitled 'An act to establish a forest commission and to define its powers and duties, and for the preservation of the forests,' and of the several acts amendatory thereof" (Rec. No. 290), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Ainsworth, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

"An act to amend section 716 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York'" (Rec. No. 291), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hagan, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

"An act to amend chapter 40 of the Laws of 1848, entitled, as amended by chapter 838 of the Laws of 1866, 'An act to authorize the formation of corporations for manufacturing, mining, mechanical, chemical, agricultural, horticultural, medical or curative, mercantile or commercial purposes'" (Rec. No. 292), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Van Gorder, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and committed to the committee on the judiciary, retaining its place on the order of third reading.

"An act to amend chapter 203 of the Laws of 1888, entitled 'An act to authorize the board of education of the city of Lockport to acquire a site and erect a school building for the use of the union school district within said city, and to authorize the common council of said city of Lockport to issue bonds for the purpose of paying therefor'" (Rec.

No. 293), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Little, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

"An act ceding jurisdiction to the United States of America over two certain pieces of land in the East river, New York, for the purpose of establishing thereon lights or other aids to navigation (Rec. No. 295), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cronin, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

The Senate returned the bill entitled "An act to provide for the payment of the expenses of certain proceedings under the authority of the late comptroller of the city of New York before the committee on commerce and navigation of the Assembly" (No. 281), with a message that they have concurred in the passage of the same with the following amendments:

Section 1, line 3, strike out the words "and county."

Same section, line 5, strike out the word "two" and insert the word "six," and strike out the word "paid."

Same section, lines 5 and 6, strike out the words "or by reason of."

Same section, line 8, strike out the word "by" and insert the words "on the."

Same section, line 11, strike out the words "the amounts" and insert the words "to the counsel found entitled thereto the amount or amounts," and strike out the words "and appropriated."

Same section, line 14, after the word "in" insert the words "relation to."

Add as section 2 the following:

"§ 2. To provide for the payment by this statute authorized, the comptroller of the city of New York is authorized to issue revenue bonds of said city, in anticipation of the taxes of the city for the year succeeding the year in which such payment is made."

Change "§ 2" to "§ 3."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Graham	McAdam	Rice
Adams	Creamer	Greene	McCann	Roesch
Ainsworth	Cronin	Hagan	McCarren	Saunders
Aspinall	Crosby	Hayes	McLaughlin	Sheldon
Baker, A. B.	Curtis	Hornidge	Mead	Stevens
Barton	Dante	Hughes	Miley	Strassburg
Bauer	Davidson	Kerrigan	Miller	Tefft
Blake	Decker	Lane	Moffitt	Treadway

Blanchfield	Dinehart	Larmon	Moody	Upson
Blumenthal	Dinkelspiel	Le Roy	Mullaney	Van Gorder
Brownell	Dunham	Little	Murray	Walters
Carson	Dunlap	Loder	Newschafer	West
Cheney	Edwards	Longley	O'Neil	Whipple
Clarke, C. C.	Endres	Martin	Pearsall	Yates
Comstock	Fish	Mase	Peck	Yetman
Connelly	Fitts	Maynard	Rhodes	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

Mr. Fitts offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 920, entitled "An act to permit the city of Auburn to raise money to build a bridge and to supply deficiency caused by the failure of the First National Bank in said city," now on the order of third reading, be read the third time on Wednesday morning, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker presented the fifth annual report of the Commissioners of the State Reservation at Niagara, for the year 1888; which was laid upon the table and ordered printed.

(See Doc. No. 23.)

Mr. Endres offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 952, entitled "An act to amend sections 8 and 9 of chapter 436 of the Laws of 1880, entitled 'An act to establish a police department in the city of Buffalo and to provide for the government thereof,'" now the order of third reading, be read the third time on Thursday, April twenty-fifth, at 12 o'clock, noon.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Hornidge offered for the consideration of the House a resolution, in the words following:

Resolved, That Senate bill No. 228, entitled "An act to provide for the construction and maintenance of an exterior street along a portion of the East river, in the city of New York" (Rec. No. 91), now on the order of third reading, be read the third time to-morrow morning after the reading of the journal.

The Senate sent for concurrence the bill entitled "An act to amend chapter 147 of the Laws of 1889, entitled 'An act to authorize the common council of the city of New York to provide for the celebration of the centennial anniversary of the inauguration of George Washington as first president of the United States'" (Rec. No. 297), which was read the first time, and by unanimous consent, was also read the second time.

On motion of Mr. Martin, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative

a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Hagan	McLaughlin	Smith, T.
Adams	Creamer	Haggerty	Mead	Sperry
Ainsworth	Cronin	Hayes	Miley	Stevens
Aspinall	Curtis	Hornidge	Moffitt	Strassburg
Baker, A. B.	Dante	Hughes	Moody	Tefft
Barton	Davidson	Kent	Murray	Towne
Bauer	Decker	Kerrigan	Newschafer	Treadway
Blake	Dinehart	Le Roy	O'Neil	Upson
Blanchfield	Duffy	Little	Pearsall	Van Gorder
Blumenthal	Dunham	Loder	Rhodes	Walters
Brownell	Dunlap	Longley	Rice	West
Carson	Edwards	Martin	Roesch	Whipple
Cheney	Endres	Mase	Ryan	Yates
Clarke, C. C.	Fitts	Maynard	Saunders	Yetman
Comstock	Gibbs	McAdam	Savery	Young
Connelly	Greene	McCarren	Sheldon	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 12, 1889. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly herewith is returned for amendment Assembly bill Int. No. 900, entitled "An act to provide for the sale of the academy part of the academy and town hall of the town of Almond, in the county of Allegany."

DAVID B. HILL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Haggerty	McCann	Savery
Adams	Dante	Hayes	McCarren	Saxton
Ainsworth	Davidson	Hornidge	McLaughlin	Sheldon
Aspinall	Decker	Hughes	Mead	Smith, T.
Baker, A. B.	Dinehart	Huntting	Mesick	Stevens

Barton	Dinkelspiel	Husted	Moffitt	Strassburg
Bauer	Donaldson	Kent	Moody	Towne
Blake	Dunham	Kerrigan	Murray	Townsend
Blanchfield	Dunlap	Lane	Newschafer	Treadway
Blumenthal	Edwards	Little	O'Neil	Upson
Brownell	Endres	Loder	Pearsall	Van Gorder
Carson	Fish	Longley	Peck	Walters
Cheney	Fitts	Martin	Rhodes	West
Clarke, C. C.	Gibbs	Mase	Roesch	Whippie
Cottrell	Graham	Maynard	Ryan	Yates
Creamer	Greene	McAdam	Saunders	Young
Cronin	Hagan			

The vote upon the final passage of the said bill having been reconsidered,

On motion of Mr. Cottrell, and by unanimous consent, the same was amended by striking out all after the enacting clause and inserting the following:

SECTION 1. The supervisor of the town of Almond, Allegany county, by and with the consent and approval of the trustees of the Almond academy, in said town, or a majority of them, is hereby authorized to sell and convey at the best price obtainable, either by public or private sale, the property located in the village of Almond and county aforesaid, known and described as the Almond academy and town hall, and all the grounds and appurtenances thereto belonging; which said academy and town hall was authorized and constructed by a vote of said town, pursuant to chapter one hundred and nineteen of the Laws of eighteen hundred and sixty-eight.

§ 2. The sale of said property may be made on terms which the supervisor and said trustees may deem best; and the avails of such sale, after paying the necessary and legitimate expenses incurred in conducting the same, shall be paid over when received by the supervisor, in accordance with the terms of the sale, to the treasurer of the county of Allegany, and by him placed to the credit of the town of Almond, to be applied to the payment of taxes assessed to said town by the board of supervisors of Allegany county; provided, however, if a majority of the electors of the town of Almond, voting at an annual town meeting, or a special town election held for that purpose, determine to apply the proceeds of such sale to any special town purpose, then such proceeds shall be applied as directed, by the supervisor of said town, to whom the county treasurer shall pay said money, if it shall have come into his hands. It is further provided, also, that if any part or portion of the property sold, or the proceeds from the sale thereof, be shown in a proceeding taken for that purpose, or to the satisfaction of the supervisor and board of town auditors of the town of Almond, to belong to any person or corporation, then such share, part or portion of such proceeds, shall be paid over to the party to whom it belongs. In perfecting the sale and transfer of said property, the supervisor of the town of Almond is authorized to convey title of the same by deed.

§ 3. All acts and parts of acts inconsistent herewith, are hereby repealed.

§ 4. This act shall take effect immediately.

Amend the title so as to read as follows: "An act to authorize the sale of the Almond academy and town hall, of the town of Almond, Allegany county."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Gibbs	Maynard	Saxton
Adams	Creamer	Graham	McAdam	Sheldon
Ainsworth	Cronin	Greene	McCann	Smith, T.
Aspinall	Crosby	Hagan	McCarren	Stevens
Baker, A. B.	Curtis	Hayes	McLaughlin	Tefft
Barton	Dante	Hornidge	Mesick	Towne
Bauer	Davidson	Hughes	Moffit	Townsend
Blake	Decker	Hunting	Moody	Treadway
Blanchfield	Dinehart	Husted	Murray	Upson
Blumenthal	Dinkelspiel	Kent	Newschafer	Van Gorder
Brownell	Donaldson	Kerrigan	O'Neil	Walters
Carson	Duffy	Le Roy	Peck	West
Cheney	Dunham	Little	Rice	Whipple
Clarke, C. C.	Dunlap	Loder	Roesch	Yates
Comstock	Endres	Longley	Ryan	Yetman
Connelly	Fitts	Martin	Saunders	Young

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

Mr. Acker introduced a bill entitled "An act to provide for the construction of a system of sewers in the city of Hornellsville, N. Y. (Int. No. 1217), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Acker, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and to be read the third time on Thursday, April twenty-fifth.

The privileges of the floor were extended to Hons. Erastus B. Benedict, John B. McGoldrick, Judge Lockwood and Mr. Martin.

On motion of Mr. Whipple, and by unanimous consent, Senate bill No. 621, entitled "An act to amend chapter 175 of the Laws of 1883, entitled 'An act to provide for the incorporation and regulation of coöperative or assessment life and casualty insurance associations and societies,' as amended by chapter 285 of the Laws of 1887" (Rec. No. 271), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Gibbs	Maynard	Roesch
Adams	Crosby	Graham	McAdam	Ryan
Ainsworth	Curtis	Greene	McCann	Saunders
Aspinall	Dante	Hagan	McCarren	Sheldon
Baker, A. B.	Davidson	Haggerty	McLaughlin	Smith, T.
Barton	Decker	Hamilton	Mead	Stevens
Bauer	Dinehart	Hayes	Miley	Strassburg
Blake	Dinkelspiel	Hornidge	Miller	Tefft
Blumenthal	Donaldson	Husted	Moody	Upson
Brownell	Duffy	Huntting	Murray	Van Gorder
Cheney	Dunham	Husted	Newschafer	Walters
Clarke, C. C.	Dunlap	Kent	O'Neil	West
Comstock	Edwards	Kerrigan	Pearsall	Whipple
Connelly	Endres	Little	Peck	Yates
Cottrell	Fish	Longley	Rice	Young
Creamer	Fitts	Martin		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 469) entitled "An act to amend chapter 622 of the Laws of 1887, entitled 'An act to amend chapter 642 of the Laws of 1886, entitled An act to amend chapter 65 of the Laws of 1886, entitled An act to secure adequate compensation for the right to construct, maintain, use, operate or extend street railroads in cities and villages'" having been announced for a third reading,

On motion of Mr. Greene, and by unanimous consent, said bill was made a special order for to-morrow.

Mr. Ainsworth in the chair.

The bill (No. 1167) entitled "An act to amend chapter 129 of the Laws of 1872, entitled 'An act to amend an act passed May 3, 1870, entitled An act to amend an act to incorporate the city of Troy, passed April 12, 1816, and the several acts amendatory thereto, and also to amend other acts relating to the city of Troy,' and the acts amendatory of said chapter 129, relative to the making of public improvements in said city, and assessments therefor, and to authorize said city to contribute to the expense of such improvements and to issue bonds therefor, and to create a public improvement commission in said city, and define its powers and duties," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, three-fifths being present.

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Graham	McAdam	Saunders
Adams	Cottrell	Hagan	McCann	Savery
Ainsworth	Cronin	Haggerty	McLaughlin	Saxton

Aspinall	Crosby	Hayes	Mead	Sheldon
Baker, A. B.	Curtis	Hornidge	Miley	Sperry
Barton	Dante	Hughes	Moffitt	Strassburg
Bauer	Davidson	Huntting	Moody	Tefft
Blake	Decker	Kelly	Mullaney	Towne
Blanchfield	Dinehart	Kerrigan	Murray	Treadway
Blumenthal	Dinkelspiel	Lane	Newschafer	Upson
Brown	Duffy	Le Roy	O'Neil	Van Gorder
Brownell	Edwards	Lewis	Pearsall	Walters
Carson	Endres	Little	Rice	West
Cheney	Fish	Longley	Roesch	Yates
Clarke, C. C.	Fitts	Martin	Ryan	Young
Comstock	Gibbs			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1166) entitled "An act to amend chapter 505 of the Laws of 1873, entitled 'An act to reorganize the village of Gloversville,' and the several acts amendatory thereof," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Haggerty	McAdam	Saunders
Adams	Crosby	Hamilton	McCann	Savery
Ainsworth	Curtis	Hayes	McCarren	Saxton
Aspinall	Dante	Hornidge	McLaughlin	Sheldon
Baker, A. B.	Davidson	Hughes	McMaster	Smith, T.
Barton	Decker	Huntting	Mead	Sperry
Bauer	Dinehart	Kelly	Miley	Strassburg
Blake	Dinkelspiel	Kent	Moffitt	Sullivan
Blanchfield	Duffy	Kerrigan	Moody	Tefft
Brown	Dunham	Kimball	Mullaney	Towne
Brownell	Edwards	Lane	Murray	Treadway
Carson	Endres	Le Roy	Newschafer	Upson
Cheney	Fish	Little	O'Neil	Van Gorder
Clarke, C. C.	Fitts	Loder	Pearsall	Walters
Comstock	Graham	Longley	Peck	West
Connelly	Greene	Martin	Rice	Yates
Cottrell	Hagan	Maynard	Ryan	Young

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 655) entitled "An act to amend section 1 of title 3 of chapter 79 of the Laws of 1886, entitled 'An act to amend the charter of the village of Edgewater,'" having been announced for a third reading,

On motion of Mr. Ainsworth, and by unanimous consent, the same was laid aside until to-morrow morning.

The Senate bill (No. 451) entitled "An act to appropriate moneys for repairs to the Erie canal, and to authorize such repairs to be made" (Rec. No. 224), was read the third time.

Mr. Speaker, put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Hayes	Mase	O'Neil
Ainsworth	Davidson	Hornidge	Maynard	Pearsall
Baker, A. B.	Dinehart	Hughes	McAdam	Rhodes
Barton	Duffy	Hunting	McCann	Rice
Blake	Dunham	Husted	McCarren	Roesch
Blanchfield	Dunlap	Kelly	McLaughlin	Saunders
Blumenthal	Edwards	Kent	McMaster	Savery
Brown	Endres	Kerrigan	Mesick	Sheldon
Brownell	Fish	King	Miley	Smith, T.
Carson	Fitts	Lane	Miller	Strassburg
Cheney	Gibbs	Larmon	Moffitt	Treadway
Clarke, C. C.	Graham	Le Roy	Moody	Upson
Comstock	Greene	Lewis	Mullaney	Walters
Coon	Hagan	Little	Murray	West
Cronin	Haggerty	Longley	Newschafer	Yates
Crosby	Hamilton	Martin	Nixon	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 612) entitled "An act to consolidate Union Free School District No. 1 and school districts Nos. 2, 9 and 20 of the town of Watervliet into one school district, to be known as the 'West Troy school district,' and to provide a board of education therefor," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Greene	Longley	Roesch
Adams	Cottrell	Haggerty	Mase	Saunders
Ainsworth	Creamer	Hamilton	Maynard	Savery
Aspinall	Dante	Hayes	McAdam	Sheldon
Baker, A. B.	Davidson	Hunting	McCarren	Smith, T.
Barton	Decker	Husted	McMaster	Sperry

Bauer	Dinehart	Kelly	Mead	Stevens
Blake	Donaldson	Kent	Mesick	Strassburg
Blanchfield	Duffy	Kerrigan	Miley	Tefft
Blumenthal	Dunham	King	Moffitt	Towne
Brown	Dunlap	Lane	Moody	Treadway
Brownell	Edwards	Larmon	Mullaney	Upson
Carson	Endres	Le Roy	Murray	West
Cheney	Fitts	Lewis	Newschafer	Whipple
Clarke, C. C.	Gibbs	Little	O'Neil	Yates
Comstock	Graham	Loder	Rice	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 723) entitled "An act to amend section 438 of the Penal Code, relating to false labels," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Fitts	Martin	Roesch
Adams	Connolly	Graham	Mase	Savery
Ainsworth	Cottrell	Greene	Maynard	Saxton
Aspinall	Creamer	Hughes	McAdam	Sheldon
Baker, A. B.	Cronin	Hunting	McCarren	Smith, T.
Barton	Crosby	Husted	McMaster	Sperry
Bauer	Curtis	Kelly	Mead	Stevens
Blake	Dante	Kent	Miley	Strassburg
Blanchfield	Davidson	Kerrigan	Moffitt	Tefft
Blumenthal	Dinehart	Kimball	Moody	Treadway
Brown	Donaldson	King	Murray	Upson
Brownell	Duffy	Lane	Newschafer	Van Gorder
Bush, G. H.	Dunlap	Larmon	O'Neil	West
Carson	Edwards	Le Roy	Peck	Whipple
Cheney	Endres	Little	Rhodes	Young
Clarke, C. C.	Fish	Longley	Rice	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act to amend chapter 214 of the Laws of 1888, entitled 'An act to revise the charter of the city of Binghamton'" (No. 359), with a message that they have concurred in the passage of the same, with the following amendments:

Section 3, line 4, strike out the words "eight and nine."

Change "§ 8" to "§ 4" and "§ 9" to "§ 5."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority

of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Creamer	Greene	Martin	Roesch
Ainsworth	Cronin	Haggerty	Mase	Ryan
Aspinall	Curtis	Hamilton	Maynard	Saunders
Baker, A. B.	Dante	Hayes	McAdam	Savery
Barton	Donaldson	Hornidge	McCann	Sheldon
Bauer	Decker	Hughes	McCarren	Smith, T.
Blake	Dinehart	Hunting	McMaster	Sperry
Blanchfield	Dinkelspiel	Husted	Mead	Stevens
Blumenthal	Donaldson	Kelly	Mesick	Strassburg
Brown	Duffy	Kent	Miley	Tefft
Brownell	Dunham	Kimball	Moffitt	Treadway
Bush, G. H.	Dunlap	Lane	Moody	Upton
Carson	Edwards	Larmon	Murray	Van Gorder
Cheney	Endres	Le Roy	Newschafer	Walters
Clarke, C. C.	Fitts	Lewis	O'Neil	West
Comstock	Gibbs	Little	Pearsall	Whipple
Connelly	Graham	Longley	Rhodes	Young
Cottrell				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act to legalize the acts of the St. Paul African Methodist Episcopal Church in Morrisania, Westchester county, and to correct certain defects in its articles of incorporation" (No. 171), with a message that they have concurred in the passage of the same, with the following amendments:

Strike out section 1 and insert in lieu thereof the following:

"SECTION 1. Any and all defects or omissions in the certificate of incorporation of the religious society known as the St. Paul's African Methodist Episcopal Church of the town of Morrisania are hereby corrected and supplied, and said certificate shall have the same force and effect as if the same had been signed, sealed, executed, recorded and filed in the manner required by the statute relating to the incorporation of religious societies."

Amend the title so as to read as follows:

"An act to supply and correct certain defects and omissions in the certificate of incorporation of the religious society known as St. Paul's African Methodist Episcopal Church in Morrisania, Westchester county."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Hamilton	McCann	Savery
Adams	Curtis	Hayes	McCarren	Saxton
Ainsworth	Dante	Hughes	McMaster	Sheldon
Aspinall	Davidson	Hunting	Mesick	Smith, T.
Baker, A. B.	Decker	Husted	Miley	Sperry
Bauer	Dinehart	Kelly	Miller	Stevens
Blake	Dinkelspiel	Kent	Moffitt	Strassburg
Blanchfield	Donaldson	Kerrigan	Moody	Tefft
Brown	Duffy	Kimball	Mullaney	Treadway
Brownell	Dunham	Larmon	Murray	Upson
Bush, G. H.	Dunlap	Le Roy	O'Neil	Van Gorder
Carson	Edwards	Little	Pearsall	Walters
Cheney	Endres	Longley	Peck	West
Clarke, C. C.	Fitts	Martin	Rhodes	Whipple
Comstock	Gibbs	Mase	Rice	Yates
Cottrell	Greene	Maynard	Roesch	Young
Creamer	Haggerty	McAdam	Saunders	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate bill (No. 575) entitled "An act to amend chapter 280 of the Laws of 1879, entitled 'An act to abolish the New York State Inebriate Asylum and to establish the Binghamton Asylum for the Chronic Insane and to provide for the management thereof,' and the acts amendatory thereof" (Rec. No. 231), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Greene	McAdam	Rice
Ainsworth	Crosby	Hamilton	McCarren	Roesch
Aspinall	Curtis	Hayes	McMaster	Saunders
Baker, A. B.	Dante	Hughes	Mead	Savery
Bauer	Davidson	Hunting	Mesick	Saxton
Blake	Decker	Husted	Miley	Sheldon
Blanchfield	Dinehart	Kelly	Moffitt	Sperry
Blumenthal	Dinkelspiel	Kent	Moody	Strassburg
Brownell	Donaldson	Kerrigan	Mullaney	Tefft
Carson	Duffy	Kimball	Murray	Towne
Cheney	Dunham	Larmon	Newschafer	Upson
Clarke, C. C.	Dunlap	Le Roy	O'Neil	Van Gorder
Connelly	Endres	Lewis	Pearsall	West
Coon	Fish	Little	Peck	Yates
Cottrell	Fitts	Longley	Rhodes	Young
Creamer	Graham	Martin		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Coon offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 548, entitled "An act to secure to children the benefits of an elementary education, and making an appropriation therefor," now on the order of third reading, be made a special order for Wednesday.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Husted offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 1121, entitled "An act to protect fish in the Emboght bay, on the Hudson river, in the county of Greene," now on the order of third reading, be read to-morrow morning immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Peck called from the table the resolution previously offered by him, in the words following:

Whereas, It appears that certain towns or villages in the State have heretofore conveyed certain real estate to the State for normal school purposes, in consideration of there being maintained in the normal schools academic departments for the use and benefit of said towns; and

Whereas, Such academic departments are being maintained in the normal schools to the disadvantage of other academic interests, while they interfere with the legitimate work of the normal schools in training teachers for the public schools,

Resolved (if the Senate concur), That a committee of two Senators and three members of Assembly be appointed by the presiding officers of the respective houses to visit the several normal schools having academic departments, if necessary, and advise with the public authorities of any town or village or other persons having an interest in such alleged agreements and ascertain upon what terms or in what manner the State can be relieved from agreement of such nature which may have been entered into, to the end that the several normal schools may be exclusively devoted to the professional training of teachers for the public schools, and that said committee also report to the next Legislature their own conclusions and recommendations in the premises.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The bill (No. 726) entitled "An act to authorize towns having railroad commissioners to transfer the powers and duties of such officers to the supervisors of such towns, and to abolish the office of railroad commissioner in such towns," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dante	Hughes	McCann	Saunders
Ainsworth	Davidson	Huntting	McCarren	Saxton
Aspinall	Decker	Kelly	McLaughlin	Sheldon
Baker, A. B.	Dinehart	Kent	McMaster	Smith, T.
Bauer	Dinkelspiel	Kerrigan	Mead	Sperry
Blanchfield	Donaldson	Kimball	Mesick	Stevens
Blumenthal	Dunham	King	Moffitt	Strassburg
Brown	Dunlap	Larmon	Moody	Tefft
Brownell	Endres	Le Roy	Mullaney	Towne
Carson	Fitts	Little	Murray	Treadway
Cheney	Graham	Loder	Newschafer	Upson
Clarke, C. C.	Greene	Longley	O'Neil	Van Gorder
Comstock	Hagan	Martin	Pearsall	Walters
Creamer	Haggerty	Mase	Rhodes	West
Cronin	Hamilton	Maynard	Rice	Whipple
Crosby	Hornidge	McAdam	Roesch	Yates
Curtis				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 556) entitled "An act to amend chapter 94 of the Laws of 1884, entitled 'An act to regulate and fix the tare on hops, the weight of hop baling, and a standard weight of bales of hops,'" having been announced for a third reading,

On motion of Mr. Greene, and by unanimous consent, Senate bill No. 532 (Rec. No. 223), same title and subject, was substituted for said bill.

Mr. Dante moved to amend the Senate bill by striking out the word "five" in line 6 of section 1 and inserting the word "three" in lieu thereof.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Whipple moved to strike out section 1.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 69 }
{ NOES 19 }

Those who voted in the affirmative, were

Acker	Cronin	Greene	McCarren	Savery
Aspinall	Crosby	Hagan	McLaughlin	Saxton
Bauer	Curtis	Haggerty	McMaster	Smith, T.

Blake	Dinehart	Hayes	Miley	Sperry
Blanchfield	Dinkelspiel	Hornidge	Moody	Strassburg
Blumenthal	Duffy	Hunting	Mullaney	Towne
Brownell	Dunham	Kelly	Murray	Treadway
Bush, G. H.	Dunlap	Kent	Newschafer	Upson
Carson	Edwards	Kerrigan	O'Neil	Van Gorder
Cheney	Endres	Le Roy	Rhodes	Walters
Connelly	Fish	Little	Rice	West
Coon	Fitts	Longley	Roesch	Whipple
Cottrell	Gibbs	Martin	Ryan	Yates
Creamer	Graham	McCann	Saunders	

Those who voted in the negative, were

Ainsworth	Dante	Hughes	Mesick	Stevens
Baker, A. B.	Davidson	Kimball	Moffitt	Tefft
Brown	Gallup	Maynard	Pearsall	Young
Comstock	Hamilton	Mead	Sheldon	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same.

"An act to amend chapter 25 of the Laws of 1870, entitled 'An act to incorporate the city of Rome, as amended by section 15 of chapter 576 of the Laws of 1875.'" (Int. No. 1190.)

"An act to amend 373 of the Laws of 1885, entitled 'An act to authorize the village of Middletown, in the county of Orange, New York, to establish and maintain a public art gallery and museum, and supplementary thereto.'" (No. 657.)

"An act to amend chapter 113 of the Laws of 1859, entitled 'An act in relation to the common schools in the village of Elmira, as amended by chapter fifty of the Laws of 1877.'" (No. 700.)

"An act to confirm and legalize the official acts of the 'Evangelical Lutheran Zion Church of Schenectady,' and the official acts of the persons heretofore acting as trustees of said church, and to make valid certain deeds." (No. 524.)

"An act to repeal chapter 371 of the Laws of 1859, entitled 'An act constituting the town of Sherburne, in the county of Chenango, a single election district.'" (No. 643.)

"An act to ratify and confirm a resolution passed by the electors of the town of Ellenburgh, county of Clinton, authorizing the supervisor and justices of said town to purchase a site and build a town-house in election district No. 2 of said town." (No. 337.)

"An act to further provide the means for the erection and completion of a soldiers and sailors' monument in the city of Brooklyn, by authorizing the issue of bonds." (No. 648.)

"An act to amend chapter 27 of the Laws of 1883, entitled 'An act to grant to the heirs of Nathan C. Winslow, deceased, certain land under water of the Niagara river for docks and commercial purposes.'" (No. 300.)

"An act to legalize the official acts of John Tyler, special county judge of Tompkins county, while acting in the place of the surrogate of said county." (No. 564.)

"An act to enforce the collection of the taxes levied in the county of Wayne." (No. 566.)

"An act to amend chapter 511 of the Laws of 1868, entitled 'An act to amend an act entitled An act in relation to the public schools in the village of Watertown, passed April 21, 1865.'" (No. 1097.)

"An act to legalize, ratify and confirm the vote of a majority of the electors of the village of Clyde, Wayne county, N. Y., cast at their annual charter election, held March 12, 1889." (No. 810.)

"An act to amend chapter 382 of the Laws of 1857, entitled 'An act in relation to the schools and academies in the village of Ogdensburg, St. Lawrence county,' as amended by chapter 70 of the Laws of 1881." (No. 1040.)

"An act to amend section 4 of title 5 of chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' and the acts amendatory thereof, relating to police constables, their powers, duties and compensation." (No. 355.)

"An act to amend chapter 159 of the Laws of 1888, entitled 'An act to extend the powers and jurisdiction of the commissioners appointed for the settlement of territorial disputes in regard to the lands under water in Raritan bay.'" (No. 216.)

"An act to amend chapter 541 of the Laws of 1865, entitled 'An act to incorporate the city of Newburgh,' and the several acts amendatory thereto." (Int. No. 1152.)

"An act requiring the Comptroller and the Superintendent of Public Instruction to adjust the accounts of the State with the several counties thereof." (No. 936.)

"An act to authorize the Board of Claims to hear, audit and determine the claim or claims of William Fuller and sons against the State, and to make an award therefor." (No. 592.)

"An act to amend chapter 430 of the Laws of 1874, entitled "An act to facilitate the reorganization of railroads sold under mortgage and providing for the formation of new companies in such cases." (No. 485.)

"An act to amend section 11 of chapter 84 of the Laws of 1887, entitled 'An act to amend chapter 410 of the Laws of 1882, entitled An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, in relation to the powers, duties, and health fund of the board of health, and of the health department of the city of New York, and for the preservation of the public health.'" (No. 502.)

"An act to authorize the Board of Claims to hear and determine the claim of John and Valentine Brown against the State." (No. 509.)

"An act to provide for the making of repairs and improvements in and about the State armory at Walton, in the county of Delaware, and making an appropriation therefor." (No. 450.)

"An act for building and constructing a waste-weir from the Erie canal at or near Adams Basin, Monroe county, N. Y., and making an appropriation therefor." (No. 363.)

"An act to authorize the city of Cohoes to provide for the removal of the bodies, monuments and gravestones from the old burial-ground situated on the north side of Columbia street in said city, to provide a suitable place for the reinterment of said bodies, to reinter

the same, and to reset the monuments and gravestones, to issue bonds therefor, and to sell and convey the land now used for said burial-ground." (No. 498.)

"An act to amend chapter 212 of the Laws of 1886, entitled 'An act to provide for the construction of a system of sewerage for the village of West Troy.'" (No. 838.)

"An act to amend section 268 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, in relation to the police department of the city of New York.'" (No. 534.)

"An act to amend chapter 314 of the Laws of 1874, entitled 'An act to establish a board of police and fire commissioners of the city of Utica.'" (No. 585.)

"An act to authorize the board of trustees of the village of Peekskill to purchase real estate and erect a building thereon for the use of the fire department of said village, and to issue bonds therefor." (No. 716.)

"An act to authorize the repairing of the damage to a public highway leading from the village of Castorland to the bridge over the Black river in the town of Denmark, in the county of Lewis, caused by the overflow of said river, by reason of the State dam thereon, and to so alter said highway as to prevent future damages from said cause, and making an appropriation therefor." (No. 619.)

"An act to legalize certain proceedings of the common council and officers of the city of Buffalo." (No. 448.)

"An act to amend chapter 28 of the Laws of 1883, entitled 'An act to grant to Charles O. Scott certain land under water of Niagara river for docks and commercial purposes.'" (No. 299.)

"An act to amend chapter 613 of the Laws of 1886, entitled 'An act to incorporate the Callicoon Bridge Company, in Sullivan county.'" (No. 569.)

"An act in relation to summary proceedings to remove monthly tenants in the city of Brooklyn for holding over. (No. 661.)

"An act to amend section 8 of title 2 and section 7 of title 3 of chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,' and the acts amendatory thereof." (No. 59.)

"An act to amend section 4 of title 13 of chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,' and the several acts amendatory thereof, relating to the Buffalo fire department." (No. 379.)

"An act to authorize the trustees of the village of Oneonta, in the county of Otsego, to issue bonds for the purpose of grading, curbing and paving certain streets in said village, and to provide for the payment thereof." (Int. No. 1181.)

"An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica,' and the acts amendatory thereof." (No. 807.)

"An act to amend chapter 355 of the Laws of 1868, entitled 'An act to authorize and require the Comptroller of the State to settle with the treasurers of the counties of Hamilton, Warren and Essex, in relation to certain non-resident taxes.'" (No. 871.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill entitled "An act to limit the amount of property to be held by corporations organized for other than business purposes." (No. 206.)

Ordered, That the Clerk deliver said bill to Governor.

The hour of 10 o'clock having arrived, Mr. Ainsworth declared the House adjourned.

TUESDAY, APRIL 23, 1889.

The House met pursuant to adjournment.

Prayer by Rev. S. F. Morrow.

Mr. Fish moved that the journal of yesterday be approved without being read.

Mr. Sheehan stated that he was not present at the session of the Assembly last evening, and that had he been present he should have objected to the consideration of the resolution rescinding the vote by which the date of final adjournment of the Legislature was adopted.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Fish, and it was determined in the affirmative.

On motion of Mr. Fish, and by unanimous consent, the Senate bill (No. 679) entitled "An act to amend sections 172, 192 and 214 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the bonds and stocks of said city" (Rec. No. 294), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dante	Hamilton	McCann	Schaaff
Ainsworth	Davidson	Harwood	McCarren	Sheehan
Andrus	Decker	Hayes	McLaughlin	Sheldon
Aspinall	Demarest	Hughes	McMaster	Smith, C.
Baker, A. B.	Dinehart	Hunting	Mead	Smith, M. A.
Barton	Dinkelspiel	Husted	Mesick	Smith, T.
Bauer	Dunham	Kelly	Miller	Sperry
Blanchfield	Dunlap	Kent	Moffitt	Stevens
Blumenthal	Edwards	Kerrigan	Moody	Strassburg
Brown	Endres	Kimball	Murray	Towne
Carson	Enz	King	Newschafer	Treadway
Cheney	Fish	Lane	O'Neil	Upson
Comstock	Fitts	Larmon	Pearsall	Van Gorder
Connelly	Flaherty	Le Roy	Rhodes	Walters
Coon	Gibbs	Lewis	Rice	West

Cottrell	Greene	Little	Roesch	Whipple
Creamer	Guenther	Loder	Ryan	Yates
Cronin	Haffner	Longley	Saunders	Yetman
Crosby	Hagan	Martin	Savery	Young
Curtis	Haggerty	McAdam	Saxton	Youngman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

On motion of Mr. Ainsworth, and by unanimous consent, the Senate bill (No. 548) entitled "An act to promote dairy agriculture of the State of New York" (Rec. No. 208), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Greene	Lewis	Saunders
Adams	Creamer	Guenther	Little	Savery
Ainsworth	Cronin	Haffner	Longley	Schaaff
Andrus	Curtis	Hagan	McAdam	Sheehan
Aspinall	Dante	Hamilton	McCann	Smith, C.
Baker, A. B.	Davidson	Harwood	McCarren	Smith, T.
Baker, A. H.	Decker	Hayes	McLaughlin	Stevens
Barton	Demarest	Hornidge	McMaster	Strassburg
Bauer	Dinehart	Hughes	Mesick	Tefft
Blake	Dinkelspiel	Hunting	Moody	Towne
Blanchfield	Donaldson	Husted	Newschafer	Townsend
Brown	Dunlap	Kent	Pearsall	Treadway
Carson	Edwards	Kerrigan	Peck	West
Cheney	Endres	Kimball	Rhodes	Yates
Comstock	Fish	Lane	Rice	Yetman
Connelly	Fitts	Larmon	Roesch	Young
Coon	Gibbs	Le Roy	Ryan	Youngman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Moody introduced a bill entitled "An act to amend chapter 65 of the Laws of 1871, entitled 'An act to revise and consolidate the laws in relation to the village of Geneva, in the county of Ontario,' and the acts amendatory thereof" (Int. No. 1218), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Moody, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and to be read the third time April twenty-fourth.

The Senate returned the bill entitled "An act to authorize the mayor, aldermen and commonalty of the city of New York to provide for the expense of the participation of the volunteer firemen's association of the city of New York in the celebration of the centennial anniversary of the inauguration of George Washington as first Presi-

dent of the United States" (Int. No. 1213), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill entitled "An act to create a commission to pave certain streets in the village of West Troy" (No. 696), with a message that they have concurred in the passage of the same, as amended.

Ordered, That the Clerk deliver said bill to the Governor.

The bill (No. 1121) entitled "An act to protect fish in the Emboght bay, on the Hudson river, in the county of Greene," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Creamer	Haffner	Martin	Saunders
Adams	Cronin	Hagan	McAdam	Savery
Ainsworth	Crosby	Hamilton	McCann	Saxton
Andrus	Curtis	Hayes	McCarren	Sheldon
Aspinall	Dante	Hughes	McMaster	Smith, T.
Baker, A. B.	Davidson	Hunting	Mead	Tefft
Barton	Decker	Husted	Mesick	Towne
Bauer	Demarest	Kelly	Moffitt	Treadway
Blake	Dinkelspiel	Kent	Moody	Upson
Blanchfield	Dunlap	Kimball	Murray	Van Gorder
Brown	Edwards	Larmon	Newschafer	Walters
Carson	Endres	Le Roy	O'Neil	West
Cheney	Fish	Lewis	Pearsall	Whipple
Connelly	Fitts	Little	Rice	Yates
Coon	Flaherty	Loder	Roesch	Yetman
Cottrell	Guenther	Longley	Ryan	Young

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 469) entitled "An act to amend chapter 622 of the Laws of 1887, entitled 'An act to amend chapter 642 of the Laws of 1886, entitled An act to amend chapter 65 of the Laws of 1886, entitled An act to secure adequate compensation for the right to construct, maintain, use, operate or extend street railroads in cities and villages,'" having been announced for a third reading,

On motion of Mr. Sheehan, and by unanimous consent, the same was laid aside.

The bill (No. 1149), entitled "An act to extend the time for the payment of the capital stock of corporations organized since May 1, 1884, as limited liability companies under chapter 611 of the Laws of 1875, entitled 'An act to provide for the organization and regulation of certain business corporations,' and for taking proceedings to pay up or reduce their capital stock," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Demarest	Hughes	McMaster	Schaaff
Adams	Dinehart	Hunting	Mead	Sheldon
Ainsworth	Dinkelspiel	Husted	Mesick	Smith, T.
Andrus	Duffy	Kent	Miller	Stevens
Aspinall	Dunham	Kerrigan	Moffitt	Strassburg
Baker, A. B.	Dunlap	King	Moody	Tefft
Carson	Edwards	Lane	Murray	Towne
Cheney	Endres	Larmon	Newschafer	Townsend
Comstock	Enz	Le Roy	Pearsall	Treadway
Connelly	Fitts	Lewis	Rhodes	Upson
Coon	Flaherty	Little	Rice	Van Gorder
Cottrell	Graham	Longley	Roesch	Walters
Creamer	Greene	Martin	Ryan	West
Crosby	Guenther	McAdam	Saunders	Yetman
Curtis	Haffner	McCann	Savery	Young
Davidson	Hamilton	McCarren	Saxton	Youngman
Decker				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate sent for concurrence the following entitled bill:

"An act to regulate the custody and disbursement of elevated railway income percentage special tax receipts in certain cases" (Rec. No. 296), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Creamer, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

Mr. Speaker presented the seventeenth annual report of the New York Infant Asylum, presented at the annual meeting January 15, 1889; which was laid upon the table and ordered printed.

(See Doc. No 98.)

Indefinite leave of absence was granted to Mr. Mase.

Mr. Little presented several petitions relative to the protection of the Adirondack forests; which were referred to the committee on game laws.

Messrs. Husted and Crosby presented petitions against the passage of Assembly bills Nos. 894 and 311, relative to representation upon the board of school commissioners; which were referred to the committee on public education.

Mr. Edwards presented a petition relative to the sale of cigarettes and tobacco to children; which was referred to the committee on public health.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 19, 1889.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill Int. No. 1148, entitled "An act to legalize and confirm the action of the legal voters of the town of Delaware at the annual town meeting held March 5, 1889."

DAVID B. HILL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Hamilton	McAdam	Saxton
Adams	Curtis	Harwood	McCann	Schaaff
Ainsworth	Dante	Hayes	McCarren	Sheehan
Aspinall	Davidson	Hornidge	McLaughlin	Sheldon
Baker, A. B.	Decker	Hughes	Mesick	Smith, M. A.
Baker, A. H.	Demarest	Hunting	Moody	Smith, T.
Barton	Dinehart	Husted	Mullaney	Stevens
Bauer	Dinkelspiel	Kent	Murray	Tefft
Blanchfield	Dunlap	Kimball	Newschafer	Townsend
Brown	Edwards	King	O'Neil	Treadway
Brownell	Endres	Lane	Pearsall	Upson
Carson	Enz	Larmon	Peck	Van Gorder
Cheney	Fitts	Lewis	Rhodes	Walters
Comstock	Gibbs	Little	Rice	West
Connelly	Graham	Loder	Roesch	Whipple
Coon	Haffner	Martin	Saunders	Yetman
Creamer	Hagan	Mase	Savery	Young

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. M. A. Smith, and by unanimous consent, the same was amended as follows:

Section 1, line 7, engrossed bill, insert after the word "valid" the words "with the like effect as though the notice required by statute had been given the full period of four weeks, instead of one week, and with the like effect as though the provisions of chapter 274 of the Laws of 1832 had been fully complied with so far as they were applicable."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
 { NOES 00 }

Those who voted in the affirmative, were

Acker	Dinkelspiel	Harwood	McCarren	Schaaß
Ainsworth	Donaldson	Hayes	McLaughlin	Sheldon
Andrus	Dunham	Hughes	McMaster	Smith, M. A.
Aspinall	Dunlap	Huntting	Mead	Smith, T.
Baker, A. B.	Edwards	Husted	Mesick	Sperry
Baker, A. H.	Endres	Kent	Miley	Strassburg
Bauer	Enz	Kimball	Mullaney	Tefft
Blanchfield	Fish	Lane	Murray	Townsend
Carson	Fitts	Larmon	Newschafer	Upson
Cheney	Graham	Le Roy	O'Neil	Van Gorder
Comstock	Greene	Little	Pearsall	Walters
Coon	Guenther	Loder	Roesch	West
Davidson	Haffner	Longley	Saunders	Yates
Decker	Hagan	Martin	Savery	Yetman
Demarest	Haggerty	McAdam	Saxton	Young
Dinehart	Hamilton	McCann		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The bill (No. 923) entitled "An act to provide for raising money by tax for lighting the streets by gas or electricity in the city of Cohoes," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
 { NOES 00 }

Those who voted in the affirmative, were

Andrus	Dinehart	Hornidge	McCarren	Sheehan
Baker, A. B.	Donaldson	Hughes	McLaughlin	Sheldon
Baker, A. H.	Dunham	Huntting	Mead	Smith, M. A.
Bauer	Dunlap	Husted	Mesick	Smith, T.
Blake	Endres	Kelly	Miley	Sperry
Blanchfield	Enz	Kent	Miller	Strassburg
Brown	Fish	Lane	Mullaney	Sullivan
Carson	Fitts	Larmon	Murray	Tefft
Cheney	Graham	Le Roy	Pearsall	Townsend
Comstock	Greene	Lewis	Rhodes	Walters
Connelly	Guenther	Little	Rice	West
Coon	Haffner	Loder	Roesch	Whipple
Cottrell	Hagan	Longley	Saunders	Yates
Dante	Hamilton	Martin	Savery	Yetman
Davidson	Harwood	McAdam	Saxton	Young
Decker	Hayes	McCann	Schaaß	Youngman
Demarest				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1063) entitled "An act to establish and settle the bulk-head and pier line along the East river at Long Island City and Ravenswood, in the port of New York," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 74 }
{ NOES 28 }

Those who voted in the affirmative, were

Adams	Dante	Hamilton	McCarren	Smith, M. A.
Ainsworth	Davidson	Hughes	McLaughlin	Stevens
Andrus	Decker	Hunting	McMaster	Sullivan
Baker, A. B.	Dinehart	Husted	Mead	Tefft
Baker, A. H.	Donaldson	Kelly	Mesick	Towne
Barton	Dunlap	Kimball	Miley	Treadway
Bauer	Edwards	King	Moffitt	Upson
Brown	Enz	Lane	Newschafer	Van Gorder
Carson	Fish	Larmon	Pearsall	Walters
Cheney	Fitts	Le Roy	Peck	West
Comstock	Flaherty	Lewis	Rhodes	Whipple
Coon	Gibbs	Little	Saunders	Yates
Cottrell	Greene	Loder	Savery	Youngman
Crosby	Hagan	Longley	Saxton	Speaker
Curtis	Haggerty	McAdam	Sheldon	

Those who voted in the negative, were

Acker	Creamer	Graham	Rice	Smith, T.
Aspinall	Cronin	Guenther	Roesch	Sperry
Blake	Demarest	Harwood	Ryan	Strassburg
Blanchfield	Dinkelspiel	Kent	Schaaff	Townsend
Bush, G. H.	Dunham	Martin	Smith, C.	Young
Connelly	Endres	Mullaney		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1031) entitled "An act to amend section 407 of the Penal Code relating to the adulteration of food, drugs, liquors, etc.," having been announced for a third reading,

On motion of Mr. Saxton, and by unanimous consent, the same was amended as follows:

Subdivision 3, line 1, engrossed bill, strike out the word "substance" and insert the word "substitute."

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
 { NOES 4 }

Those who voted in the affirmative, were

Acker	Curtis	Haffner	Mead	Smith, M. A.
Adams	Dante	Hamilton	Miley	Smith, T.
Ainsworth	Davidson	Harwood	Moffitt	Sperry
Aspinall	Decker	Hughes	Moody	Stevens
Baker, A. B.	Demarest	Hunting	Newschafer	Strassburg
Baker, A. H.	Dinehart	Husted	Pearsall	Sullivan
Barton	Dinkelspiel	Kent	Peck	Tefft
Blanchfield	Dunham	Kimball	Rhodes	Towne
Blumenthal	Dunlap	King	Rice	Treadway
Brown	Enz	Lane	Saunders	Van Gorder
Carson	Fitts	Larmon	Savery	West
Cheney	Flaherty	Little	Saxton	Yates
Connelly	Gallup	Loder	Sheehan	Yetman
Coon	Gibbs	McCann	Sheldon	Young
Cottrell	Graham	McCarren	Smith, C.	Youngman
Crosby	Greene	McMaster		

Those who voted in the negative, were

Bush, G. H. Endres Roesch Townsend

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1133) entitled "An act in relation to the taxation of the structures of elevated railroads in cities of less than 1,000,000 of inhabitants," having been announced for a third reading,

Mr. Crosby moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the negative.

After further discussion,

Mr. Connelly moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 16 }
 { NOES 58 }

Those who voted in the affirmative, were

Baker, A. B.	Guenther	Kelly	McCann	Rice
Brownell	Haggerty	Kerrigan	Miley	Strassburg
Dinkelspiel	Hamilton	Longley	Miller	Sullivan
Duffy				

Those who voted in the negative, were

Acker	Coon	Fitts	Mead	Sheehan
Ainsworth	Cottrell	Gallup	Moody	Sheldon

Andrus	Creamer	Gibbs	Mullaney	Smith, C.
Aspinall	Crosby	Graham	Murray	Sperry
Bauer	Davidson	Hunting	Pearsall	Stevens
Blake	Decker	King	Rhodes	Van Gorder
Blanchfield	Demarest	Larmon	Ryan	West
Blumenthal	Dunlap	Le Roy	Saunders	Whipple
Bush, G. H.	Edwards	Little	Savery	Yates
Carson	Endres	Loder	Saxton	Young
Clarke, C. C.	Enz	Maynard	Schaaff	Youngman
Connelly	Fish	McCarren		

Mr. McCann moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Cronin moved to take from the table the motion to reconsider the vote by which Senate bill No. 186, entitled "An act in relation to permits for the burial or other disposition of dead bodies in the town of Newtown in the county of Queens" (Rec. No. 108), was lost.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Hamilton in the chair.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 77 }
{ NOES 25 }

Those who voted in the affirmative, were

Acker	Cottrell	Gallup	Little	Sheehan
Adams	Cronin	Greene	Loder	Sheldon
Ainsworth	Crosby	Guenther	Longley	Smith, M. A.
Andrus	Curtis	Harwood	Maynard	Stevens
Aspinall	Dante	Hitt	McAdam	Strassburg
Baker, A. B.	Davidson	Hughes	McCann	Tefft
Barton	Decker	Hunting	McMaster	Towne
Bauer	Demarest	Husted	Mead	Townsend
Blumenthal	Dinehart	Kelly	Mesick	Treadway
Brown	Dinkelspiel	Kimball	Miley	Upson
Brownell	Donaldson	King	Miller	Van Gorder
Bush, G. H.	Dunlap	Lane	Moffitt	Walters
Carson	Edwards	Larmon	Moody	West
Clarke, C. C.	Enz	Le Roy	Rhodes	Yates
Comstock	Fish	Lewis	Saxton	Yetman
Coon	Fitts			

Those who voted in the negative, were

Blake	Gibbs	Kerrigan	O'Neil	Smith, C.
Blanchfield	Kent	Newschafer	Ryan	Smith, T.

Cheney	Graham	Hamilton	Mullaney	Roesch
Connelly	Haffner	McCarren	Pearsall	Sperry
Creamer	Hagan	McLaughlin	Peck	Sullivan

The vote upon the final passage of said bill having been reconsidered, Mr. Connelly moved to recommit said bill to the committee on internal affairs.

Mr. Husted moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Connelly, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 62 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Cronin	Guenther	Loder	Strassburg
Adams	Crosby	Harwood	Longley	Tefft
Ainsworth	Curtis	Hitt	Maynard	Towne
Andrus	Decker	Hughes	McMaster	Townsend
Aspinall	Demarest	Hunting	Moffitt	Treadway
Baker, A. B.	Dinehart	Husted	Moody	Upson
Baker, A. H.	Dinkelspiel	Kimball	Rhodes	Walters
Barton	Donaldson	King	Saunders	West
Bauer	Dunlap	Lane	Sheldon	Whipple
Brown	Edwards	Larmon	Smith, M. A.	Yates
Carson	Enz	Lewis	Sperry	Yetman
Comstock	Fitts	Little	Stevens	Youngman
Cottrell	Greene			

Those who voted in the negative, were

Blake	Gibbs	Kelly	Mullaney	Roesch
Blanchfield	Graham	Kent	Murray	Ryan
Cheney	Haffner	McCann	Newschafer	Schaaff
Connelly	Hagan	McCarren	O'Neil	Smith, C.
Creamer	Hamilton	McLaughlin	Pearsall	Smith, T.
Duffy	Hayes	Miley	Peck	Sullivan
Endres				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have nonconcurrent in the passage of the same.

The bill (No. 469) entitled "An act to amend chapter 622 of the Laws of 1887, entitled 'An act to amend chapter 642 of the Laws of 1886, entitled An act to amend chapter 65 of the Laws of 1886, entitled An act to secure adequate compensation for the right to construct, maintain, use, operate or extend street railroads in cities and villages,'" having been announced for a third reading,

Mr. Bauer moved to amend as follows:

Section 1, line 2, after "87" add the words "entitled 'An act to amend chapter 65 of the Laws of 1886, entitled An act to secure adequate compensation for the right to construct, maintain, use operate or extend street railroads in cities and villages.'"

Amend the title so as to read as follows:

"An act to amend chapter 65 of the Laws of 1886, entitled 'An act to secure adequate compensation for the right to construct, maintain, use, operate or extend street railroads in cities and villages.'"

Mr. Creamer moved to amend as follows:

Section 1, line 27, add at the end the words "but in such exempted cities and villages, the consent applied for shall be awarded to the corporation agreeing to carry passengers for the cheapest fare, upon advertisement for proposals therefor."

Mr. Speaker put the question on the motion of Mr. Creamer, and it was determined in the negative.

Mr. Speaker then put the question on the motion of Mr. Bauer, and it was determined in the affirmative.

On motion of Mr. Bauer, and by unanimous consent, Senate bill No. 628, entitled "An act to amend chapter 65 of the Laws of 1886, entitled 'An act to secure adequate compensation for the right to construct, maintain, use, operate or extend street railroads in cities and villages,' as amended by section 2 of chapter 622 of the Laws of 1887," (Rec. No. 298), was substituted for the Assembly bill.

Said Senate bill having been announced for a third reading,

Mr. Sheehan moved to amend as follows:

Section 1, line 24, printed bill, strike out the word "ninety" and insert in place thereof the words "two hundred."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Hamilton	McMaster	Schaaff
Ainsworth	Demarest	Harwood	Mead	Sheehan
Andrus	Dinehart	Hornidge	Mesick	Sheldon
Baker, A. B.	Dinkelspiel	Hunting	Miley	Smith, T.
Bauer	Donaldson	Husted	Moffitt	Sperry
Blake	Duffy	Kent	Moody	Stevens
Blumenthal	Dunham	Kerrigan	Mullaney	Strassburg
Brown	Edwards	King	Newschafer	Tefft
Bush, G. H.	Endres	Lane	O'Neil	Towne
Carson	Enz	Larmon	Pearsall	Treadway
Cheney	Fish	Lewis	Peck	Upson
Clark, C. C.	Fitts	Little	Rhodes	Van Gorder

Connelly	Gibbs	Loder	Rice	Walters
Coon	Graham	Longley	Roesch	West
Cottrell	Guenther	Maynard	Ryan	Whipple
Cronin	Haffner	McAdam	Saunders	Yates
Crosby	Hagan	McCarren	Savery	Young
Curtis	Haggerty	McLaughlin	Saxton	Youngman
Davidson				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 818) entitled "An act reappropriating \$3,000 to provide for the protection and improvement of the public health by the removal of the obstructions from the bed of Mill creek in the vicinity of the Erie canal culvert in the city of Schenectady," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Haffner	McLaughlin	Schaaff
Ainsworth	Davidson	Hagan	McMaster	Sheehan
Baker, A. B.	Decker	Hamilton	Mead	Sheldon
Barton	Demarest	Hayes	Mesick	Smith, M. A.
Bauer	Dinehart	Hitt	Miley	Smith, T.
Blake	Dinkelspiel	Hornidge	Moody	Sullivan
Blanchfield	Donaldson	Hughes	Murray	Tefft
Blumenthal	Dunham	Hunting	Newschafer	Towne
Brown	Dunlap	Husted	O'Neil	Upson
Carson	Edwards	Kent	Rhodes	Van Gorder
Clarke, C. C.	Endres	Kerrigan	Rice	Walters
Comstock	Enz	King	Roesch	West
Connelly	Fish	Larmon	Ryan	Whipple
Coon	Fitts	Longley	Saunders	Yates
Creamer	Gibbs	Maynard	Savery	Young
Cronin	Graham	McAdam	Saxton	Youngman
Crosby	Guenther	McCarren		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 585) entitled "An act to amend section 3 of chapter 439 of the Laws of 1884, entitled 'An act for the better protection of life and property upon the railroads of this State, to promote the safer and better management of steam railroads'" (Rec. No. 236), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 73 }
{ NOES 9 }

Those who voted in the affirmative, were

Acker	Cronin	Flaherty	Maynard	Savery
Adams	Curtis	Gibbs	McAdam	Saxton
Ainsworth	Dante	Graham	McCann	Schaaff
Baker, A. B.	Davidson	Greene	McCarren	Sheehan
Barton	Decker	Haffner	McLaughlin	Sheldon
Bauer	Demarest	Hamilton	McMaster	Smith, M. A.
Blake	Dinehart	Hitt	Mead	Strassburg
Blanchfield	Dinkelspiel	Hughes	Miley	Towne
Blumenthal	Donaldson	Hunting	Moffit	Treadway
Brown	Duffy	Husted	Moody	Upson
Carson	Dunham	Kimball	Newschafer	Walters
Comstock	Edwards	Lane	Pearsall	West
Connelly	Enz	Larmon	Peck	Whipple
Coon	Fish	Loder	Saunders	Youngman
Cottrell	Fitts	Longley		

Those who voted in the negative, were

Andrus	Endres	Mesick	Ryan	Tefft
Crosby	Harwood	Roesch	Sullivan	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 17, 1889.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill, Int. No. 1146, entitled "An act to legalize and confirm the action of the legal voters of the town of Lewisboro, in the county of Westchester, taken at their annual town meeting held March 26, 1889, in voting to raise money by tax to pay for working and repairing the highways and bridges in said town during the year 1888."

DAVID B. HILL.

Mr. Husted offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill, not printed, Int. No. 1146, entitled "An act to legalize and confirm the action of the legal voters of the town of Lewisboro, in the county of Westchester, taken at the annual town meeting held March 26, 1889, in voting to raise money by tax to pay for working and repairing the highways and bridges in said town during the year 1888," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Husted offered for the consideration of the House a resolution, in the words following :

Resolved, That when this House adjourns to-day it will be to meet again to-morrow morning at 10 o'clock, for the purpose of receiving reports of standing committees.

Mr. Sheehan called for the ayes and noes; which were ordered.

Mr. Sheehan raised the point of order that the resolution could not be adopted, except by a two-thirds vote.

Mr. Speaker decided the point of order not well taken.

Mr. Sheehan appealed from the decision of the chair.

Mr. Husted moved to lay the appeal on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative—ayes 63, noes 39.

The Clerk then proceeded to call the roll on the resolution of Mr. Husted, and it was determined in the affirmative.

{ AYES 58 }
{ NOES 31 }

Those who voted in the affirmative, were

Acker	Davidson	Hughes	Mead	Stevens
Adams	Decker	Hunting	Mesick	Tefft
Ainsworth	Dinehart	Husted	Moffitt	Towne
Baker, A. B.	Donaldson	Kimball	Moody	Treadway
Baker, A. H.	Dunlap	King	Pearsall	Upson
Bauer	Edwards	Lane	Peck	Van Gorder
Brown	Enz	Larmon	Rhodes	Walters
Brownell	Fitts	Lewis	Saunders	West
Coon	Flaherty	Loder	Saxton	Whipple
Cottrell	Gibbs	Maynard	Sheldon	Yates
Crosby	Hamilton	McAdam	Smith, M. A.	Youngman
Curtis	Hitt	McMaster		

Those who voted in the negative, were

Clarke, C. C.	Haffner	Kelly	McLaughlin	Roesch
Connelly	Hagan	Kent	Miley	Ryan
Demarest	Haggerty	Kerrigan	Mullaney	Schaaff
Dunham	Harwood	Longley	Murray	Sheehan
Endres	Hayes	McCann	Newschafer	Smith, T.
Graham	Hornidge	McCarren	O'Neil	Strassburg
Greene				

The hour of 2 o'clock having arrived, the House took a recess until 8 o'clock.

EIGHT O'CLOCK P. M.

The House again met.

The Senate returned the concurrent resolution returning to the Governor without amendment Assembly bill, Int. No. 1146, entitled "An act to legalize and confirm the action of the legal voters of the town of Lewisboro, in the county of Westchester, taken at the annual

town meeting held March 26, 1889, in voting to raise money by tax to pay for working and repairing the highways and bridges in said town during the year 1888," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read in the words following:

Resolved, That a respectful message be sent to the Assembly requesting the return to the Senate of Senate bill No. 536, entitled "Of the powers and duties of the trustees of colleges." (Rec. No. 221.)

Mr. Speaker put the question whether the House would agree to grant said request, and it was determined in the affirmative.

Ordered, That the Clerk return said bill to the Senate.

The Speaker and Clerk referred the following entitled bill to the subcommittee of the whole:

Int. 883, No. 1189, "An act to prohibit the publication by newspapers and other publications in this State of descriptions or announcements of certain unlawful acts."

The privileges of the floor were extended to Hon. Walter S. Hubbell.

The Senate sent for concurrence the following entitled bills:

"An act to amend an act entitled 'An act to incorporate the Faxon hospital, in the city of Utica, passed March 14, 1873'" (Rec. No. 299), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. McAdam, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

"An act to amend chapter 179 of the Laws of 1886, entitled 'An act to provide a system of sewerage for the village of Fulton'" (Rec. No. 300), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Coon, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and to be read the third time April twenty-fourth.

"An act to authorize the city of Syracuse to acquire, construct, maintain and operate a system of water works to supply said city and its inhabitants with water, and to issue its bonds in payment therefor, and to create a board of water commissioners in and for said city" (Rec. No. 301), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Speaker, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and committed to the committee on affairs of cities, retaining its place on the order of third reading,

The bill (No. 562) entitled "An act to enforce the collection of taxes levied in the county of Rockland," having been announced for a third reading,

On motion of Mr. Demarest, and by unanimous consent, the same was amended as follows:

Section 1, line 2, strike out the word "amount" and insert in place thereof the word "account."

Same section, line 4, after the word "treasurer's" insert the word "certificate."

Same section, line 7, strike out the word "land" and "unpaid."

Section 3, line 3, strike out the word "and" and insert after the word "improperly" the words "erroneously or."

Same section, same line, strike out the words "and all taxes so."

Same section, line 4, strike out the words "erroneously assessed in form or in substance."

Same section, line 7, after the word "located" insert the words "stating therein the cause of such rejection."

Same section, line 8, strike out the words "a correct" and insert in lieu thereof the words "an accurate."

Same section, same line, strike out the word "the" and insert in lieu thereof the word "such."

Same section, same line, strike out the word "and" and insert in lieu thereof the words "erroneously or."

Section 6, line 14, strike out the word "may" and insert in lieu thereof the word "shall."

Same section, line 15, after the word "pay" insert the word "therefor."

Same section, line 16, strike out the words "chargeable thereon" and insert the words "for which such parcel or lot was liable to sale with legal interest," such insertion to follow the word "amount" in line 15 of same section.

Section 7, line 2, insert after the word "sale" the words "and if such purchaser shall refuse or neglect to pay the same within said time the county treasurer may state an account against him and deliver it to the district attorney of said county, who shall be entitled to recover the same from the purchaser by an action in the name of the board of supervisors of such county, and for that purpose he shall forthwith cause a suit to be instituted therefor."

Same section, line 5, after the word "paid" insert the word "therefor."

Section 8, line 2, after the word "aforesaid" insert the words "or other person."

Same section, line 4, strike out the word "and" and insert in lieu thereof the word "or."

Section 9, line 6, strike out the word "preparing."

Section 12, line 4, strike out the words "land by any person claiming a part of such," and insert in lieu thereof the words "a specified or undivided part of a lot or parcel of."

Same section, line 10, after the word "redemption" insert the words "to the repayment to purchasers at tax sales, their heirs or assigns, of the purchase-money and interest and expenses paid thereon to redeem lands sold at tax sales."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dante	Greene	Lewis	Rice
Ainsworth	Davidson	Groat	Little	Roesch
Baker, A. B.	Decker	Guenther	Loder	Ryan
Barton	Demarest	Haffner	Longley	Saunders
Bauer	Dinkelspiel	Hagan	McAdam	Saxton
Blake	Donaldson	Hamilton	McCarren	Schaaff
Blanchfield	Duffy	Harwood	McKenzie	Sheehan
Blumenthal	Dunham	Hayes	Mead	Smith, T.
Brown	Dunlap	Hughes	Mesick	Stevens
Brownell	Edwards	Hunting	Miley	Towne
Cheney	Endres	Husted	Moffitt	Van Gorder
Comstock	Fitts	Kent	Moody	Walters
Connelly	Flaherty	Kerrigan	Mullaney	West
Coon	Gallup	Kimball	Murray	Yetman
Cottrell	Gibbs	Lane	O'Neil	Young
Curtis	Graham	Larmon	Pearsall	Youngman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Sheehan rose to a point of order; that the bill known as the Syracuse water bill had been introduced into the House by way of a message from the Senate and referred to the committee on affairs of cities; that the House had no authority to receive messages at this session, it being a special order session for a particular purpose.

Mr. Speaker declared the point of order not well taken, the message having been received and the bill ordered to a third reading by unanimous consent.

Mr. Andrus, speaking to a question of privilege, said:

I desire to state that having had this bill under observation in the Senate during all the time that it has occupied the attention of that body, it having given rise to debate and to an interest rarely excelled in the history of legislation, affecting as it does one of the highest interests of the State, it was a matter of great, of exceedingly great concern to me to find out when that bill should have reached this House in its progress. Very much to my astonishment some minutes after it appears the bill had been introduced here, and without the knowledge of any person, I think, upon the floor, I was informed that the bill had been secretly introduced, and not only that it had been ordered to a third reading, but referred to a committee which has no business with the bill. Now, sir, I would be false to my constituents, I would be false to my duty to them and to myself, were I not to stand here and protest against such action on the part of the officers of this House. If there is any method by which this wrong can be righted, by which this outrage can be atoned for, it is time now that it should be done; and if it is in order, and I hope it is in order and that it will be supported by the chair and by the members of this House, I move that the action of the House, in ordering this bill to a third reading and referring it to the committee on affairs of cities, be reconsidered.

The bill (No. 225) entitled "An act to amend section 4 of chapter 534 of the Laws of 1879, entitled "An act for the preservation of moose, wild deer, birds, fish and other game," was read the third time. Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Davidson	Groat	Little	Rice
Ainsworth	Decker	Haffner	Loder	Roesch
Aspinall	Demarest	Hagan	Longley	Ryan
Baker, A. B.	Dinkelspiel	Haggerty	Martin	Saunders
Baker, A. H.	Donaldson	Hamilton	Maynard	Savery
Bauer	Duffy	Harwood	McAdam	Saxton
Blanchfield	Dunham	Hayes	McCarren	Schaaff
Blumenthal	Dunlap	Hughes	McKenzie	Smith, T.
Brown	Edwards	Hunting	Mead	Sperry
Cheney	Endres	Husted	Mesick	Stevens
Comstock	Enz	Kent	Miley	Van Gorder
Connelly	Fitts	Kerrigan	Moffitt	Walters
Coon	Flaherty	Kimball	Moody	West
Cottrell	Gibbs	Lane	Murray	Whipple
Cronin	Graham	Larmon	O'Neil	Yetman
Curtis	Greene	Lewis	Rhodes	Young

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 727) entitled "An act to authorize the Board of Claims to hear, audit and determine the claim of John R. Putnam against the State of New York," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Greene	Maynard	Saunders
Ainsworth	Curtis	Haffner	McCarren	Savery
Andrus	Davidson	Hagan	McKenzie	Saxton
Baker, A. B.	Decker	Harwood	Mead	Schaaff
Baker, A. H.	Demarest	Hitt	Miley	Sheehan
Bauer	Dinkelspiel	Hughes	Moffitt	Sheldon
Blake	Donaldson	Hunting	Moody	Smith, T.
Blanchfield	Duffy	Kent	Mullaney	Towne
Blumenthal	Dunham	Kerrigan	Murray	Townsend
Brown	Dunlap	Kimball	Newschafer	Van Gorder

Brownell	Edwards	King	O'Neil	West
Cheney	Endres	Lane	Pearsall	Whipple
Comstock	Enz	Larmon	Rhodes	Yetman
Connelly	Fitts	Little	Rice	Young
Coon	Gibbs	Loder	Roesch	Youngman
Cottrell	Graham	Martin	Ryan	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 418) entitled "An act for the relief of George A. Vogel," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 77 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Cronin	Greene	Little	Ryan
Ainsworth	Curtis	Groat	Longley	Saunders
Andrus	Dante	Haffner	McAdam	Savery
Baker, A. B.	Davidson	Haggerty	McKenzie	Saxton
Baker A. H.	Decker	Hayes	Mead	Schaaff
Bauer	Demarest	Hughes	Moffitt	Smith, T.
Blake	Dinkelspiel	Hunting	Moody	Stevens
Blanchfield	Donaldson	Husted	Mullaney	Towne
Blumenthal	Duffy	Kelly	Murray	Townsend
Brown	Dunlap	Kent	Newschafer	Van Gorder
Brownell	Edwards	Kerrigan	O'Neil	Walters
Cheney	Endres	Kimball	Pearsall	West
Comstock	Fitts	Lane	Rhodes	Whipple
Connelly	Flaherty	Larmon	Rice	Young
Coon	Gibbs	Lewis	Roesch	Youngman
Cottrell	Graham			

For the negative,

Crosby

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Gibbs in the chair.

The Senate bill (No. 370) entitled "An act to amend chapter 314 of the Laws of 1858, entitled 'An act to declare and extend the powers of executors, assignees, receivers and other trustees, and to protect the rights of creditors and others against frauds, and for other purposes,'" having been announced for a third reading,

Mr. Sheehan moved to commit said bill to the committee on the judiciary, retaining its place on the order of third reading, with power to report at any time.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 765) entitled "An act to amend section 20 of chapter 534 of the Laws of 1879, as amended by chapter 617 of the Laws of 1887," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Hamilton	McAdam	Savery
Andrus	Davidson	Harwood	McCarren	Saxton
Baker, A. B.	Decker	Hayes	Mead	Schaaff
Barton	Demarest	Hughes	Mesick	Sheldon
Bauer	Dinkelspiel	Hunting	Miley	Stevens
Blake	Donaldson	Kelly	Moody	Tefft
Blanchfield	Duffy	Kent	Mullaney	Towne
Blumenthal	Endres	Kimball	Murray	Treadway
Brown	Fitts	King	Newschafer	Upson
Brownell	Gibbs	Lane	O'Neil	Van Gorder
Clarke, C. C.	Graham	Larmon	Pearsall	Walters
Comstock	Greene	Lewis	Rhodes	West
Connelly	Guenther	Little	Rice	Whipple
Coon	Haffner	Longley	Roesch	Young
Cottrell	Hagan	Martin	Ryan	Youngman
Crosby	Haggerty	Maynard	Saunders	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 839) entitled "An act for the relief of James C. Hale," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Groat	Lane	Rice
Andrus	Creamer	Guenther	Larmon	Savery
Aspinall	Cronin	Haffner	Lewis	Schaaff
Baker, A. B.	Crosby	Hagan	Little	Sheldon
Baker, A. H.	Curtis	Haggerty	Longley	Smith, T.
Barton	Dante	Hamilton	Martin	Stevens
Bauer	Davidson	Harwood	Maynard	Towne
Blake	Decker	Hayes	McAdam	Townsend
Blanchfield	Demarest	Hughes	McKenzie	Treadway
Blumenthal	Donaldson	Hunting	Mead	Upson
Brown	Duffy	Husted	Moody	Van Gorder
Brownell	Edwards	Kelly	Mullaney	Walters

Cheney	Fitts	Kent	Murray	West
Clarke, C. C.	Gibbs	Kerrigan	Newschafer	Whipple
Connelly	Graham	Kimball	O'Neil	Young
Coon	Greene	King	Rhodes	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 768) entitled "An act to authorize and empower the board of auditors of the town of Livonia, Livingston county, to audit and allow the claims of Julius C. Reed, James D. Sullivan and H. Nelson Jerome, assessors of said town," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Davidson	Hamilton	McCarren	Savery
Aspinall	Decker	Harwood	McKenzie	Saxton
Baker, A. B.	Demarest	Hayes	Mead	Schaaft
Baker, A. H.	Duffy	Hughes	Mesick	Sheehan
Barton	Edwards	Hunting	Moffitt	Sheldon
Bauer	Endres	Husted	Moody	Smith, T.
Blake	Fitts	Kent	Mullaney	Stevens
Blanchfield	Flaherty	Kimball	Murray	Tefft
Blumenthal	Gibbs	Lane	Newschafer	Townsend
Brown	Graham	Larmon	O'Neil	Treadway
Brownell	Greene	Lewis	Pearsall	Van Gorder
Cheney	Groat	Little	Rhodes	Walters
Comstock	Guenther	Longley	Rice	West
Coon	Haffner	Martin	Roesch	Whipple
Crosby	Hagan	Maynard	Ryan	Young
Curtis	Haggerty	McAdam	Saunders	Youngman
Dante				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 775) entitled "An act in relation to assessments for local improvements in certain incorporated villages," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Haffner	Longley	Ryan
Andrus	Curtis	Hagan	Martin	Saunders
Aspinall	Dante	Haggerty	Maynard	Savery

Baker, A. B.	Davidson	Hamilton	McAdam	Sheehan
Baker, A. H.	Decker	Harwood	McCarren	Sheldon
Barton	Demarest	Hayes	McKenzie	Smith, T.
Blake	Dinkelspiel	Hughes	Mead	Stevens
Blanchfield	Donaldson	Huntting	Mesick	Tefft
Blumenthal	Duffy	Husted	Moffitt	Townsend
Brown	Dunham	Kent	Moody	Upton
Brownell	Dunlap	Kimball	Mullaney	Van Gorder
Cheney	Edwards	King	Murray	Walters
Clarke, C. C.	Endres	Lane	Newschafer	West
Comstock	Gibbs	Larmon	O'Neil	Whipple
Connelly	Graham	Lewis	Pearsall	Yetman
Coon	Greene	Little	Rice	Young
Creamer	Guenther	Loder	Roesch	Youngman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 778) entitled "An act to incorporate Delaware Tribe No. 44 of the Improved Order of Red Men, of Eldred, Sullivan county, New York," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Haffner	McAdam	Saunders
Andrus	Cottrell	Hamilton	McCarren	Savery
Aspinall	Creamer	Harwood	Mead	Sheehan
Baker, A. B.	Davidson	Hughes	Mesick	Sheldon
Baker, A. H.	Decker	Huntting	Miley	Smith, T.
Barton	Demarest	Husted	Moffitt	Stevens
Bauer	Dinkelspiel	Kent	Moody	Tefft
Blake	Duffy	Kerrigan	Mullaney	Towne
Blanchfield	Dunham	Kimball	Murray	Treadway
Blumenthal	Edwards	King	Newschafer	Van Gorder
Brown	Endres	Lane	O'Neil	Walters
Brownell	Fitts	Larmon	Pearsall	West
Cheney	Gibbs	Lewis	Rice	Whipple
Clarke, C. C.	Greene	Longley	Roesch	Young
Comstock	Groat	Martin	Ryan	Youngman
Connelly	Guenther	Maynard		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 779) entitled "An act to authorize the Board of Claims to hear, audit and determine the claim of Valentine Brown against the State of New York, and to make an award therefor," having been announced for a third reading,

On motion of Mr. Mesick, and by unanimous consent, the same was amended as follows:

Section 1, line 12, strike out all after the word "damage."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Graham	Larmon	Roesch
Andrus	Cottrell	Greene	Little	Ryan
Baker, A. B.	Creamer	Groat	Longley	Saunders
Baker, A. H.	Crosby	Guenther	Martin	Schaaff
Barton	Curtis	Haffner	Maynard	Sheldon
Bauer	Davidson	Hagan	McCann	Smith, T.
Blake	Decker	Haggerty	McCarren	Sperry
Blanchfield	Demarest	Hamilton	Mead	Stevens
Blumenthal	Dinkelspiel	Harwood	Mesick	Tefft
Brown	Donaldson	Hughes	Moffitt	Treadway
Brownell	Duffy	Hunting	Moody	Walters
Bush, R. P.	Dunham	Husted	Mullaney	West
Cheney	Edwards	Kent	Murray	Whipple
Clarke, C. C.	Endres	Kerrigan	O'Neil	Yetman
Comstock	Fitts	Kimball	Pearsall	Young
Connelly	Gibbs	Lane	Rice	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 525) entitled "An act to amend chapter 150 of the Laws of 1872, entitled 'An act to incorporate the city of Kingston'" (Rec. No. 196), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Hamilton	Maynard	Saunders
Baker, A. B.	Dante	Harwood	McAdam	Savery
Baker, A. H.	Davidson	Hayes	McCarren	Saxton
Barton	Decker	Hitt	McKenzie	Schaaff
Bauer	Demarest	Hughes	Mead	Sheldon
Blake	Dinkelspiel	Hunting	Mesick	Smith, T.
Blanchfield	Donaldson	Husted	Miller	Sperry
Brown	Duffy	Kent	Moffitt	Stevens
Brownell	Dunham	Kerrigan	Moody	Treadway
Bush, R. P.	Edwards	Kimball	Mullaney	Van Gorder
Cheney	Endres	Lane	Murray	Walters

Clarke, C. C.	Fitts	Larmon	Newschafer	West
Comstock	Greene	Lewis	O'Neil	Whipple
Coon	Guenther	Little	Pearsall	Yetman
Cottrell	Haffner	Loder	Rice	Young
Creamer	Haggerty	Longley	Roesch	Youngman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 781) entitled "An act to authorize the Board of Claims to hear, audit and determine the claim of Elizabeth W. Pilon," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dante	Hagan	McAdam	Saunders
Andrus	Davidson	Haggerty	McCann	Savery
Baker, A. B.	Decker	Hamilton	McCarren	Saxton
Baker, A. H.	Demarest	Harwood	McKenzie	Schaaff
Barton	Dinkelspiel	Hughes	Mead	Sheldon
Bauer	Donaldson	Hunting	Mesick	Smith, T.
Blake	Duffy	Husted	Miley	Stevens
Blanchfield	Dunham	Kent	Miller	Tefft
Blumenthal	Edwards	Kerrigan	Moffitt	Townsend
Brown	Endres	Kimball	Moody	Treadway
Bush, R. P.	Fitts	King	Mullaney	Van Gorder
Cheney	Flaherty	Lane	Murray	Walters
Clarke, C. C.	Gibbs	Larmon	O'Neil	West
Coon	Graham	Loder	Pearsall	Whipple
Cottrell	Greene	Longley	Rhodes	Yetman
Cronin	Guenther	Martin	Roesch	Young
Curtis	Haffner	Maynard	Ryan	Youngman

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 782) entitled "An act to release to Henry Spicer, Francis Spicer, Catharine Valentine, Emeline Amelia Scharff, William Spicer, David Spicer, Charles Spicer, Emma Johnson, Sarah Chapman, Georgiana Farrington, Ida Lovell and Mortimer Rabanue, heirs-at-law and next of kin of George Spicer, deceased, any claim or interest that the people of the State of New York may have by escheat or otherwise in and to the estate of Ellen Spicer, deceased, in the city and county and State of New York," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 87 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Creamer	Greene	King	Rice
Andrus	Cronin	Groat	Lane	Roesch
Aspinall	Curtis	Guenther	Larmon	Ryan
Baker, A. B.	Davidson	Haffner	Lewis	Saunders
Baker, A. H.	Decker	Hagan	Little	Schaaff
Barton	Demarest	Haggerty	Loder	Sheldon
Bauer	Dinkelspiel	Hamilton	Longley	Tefft
Blake	Donaldson	Harwood	Maynard	Towne
Blanchfield	Duffy	Hayes	McAdam	Townsend
Blumenthal	Dunham	Hitt	McLaughlin	Treadway
Brown	Dunlap	Hughes	Mead	Van Gorder
Brownell	Edwards	Hunting	Moffitt	Walters
Bush, R. P.	Endres	Husted	Moody	West
Clarke, C. C.	Fitts	Kelly	Mullaney	Whipple
Comstock	Flaherty	Kent	Murray	Yetman
Connelly	Gallup	Kerrigan	Newschafer	Young
Coon	Gibbs	Kimball	O'Neil	Youngman
Cottrell	Graham			

For the negative,

Crosby

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 785) entitled "An act to amend section 2015 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to druggists," having been announced for a third reading,

On motion of Mr. Roesch, and by unanimous consent, the same was amended as follows:

Change section 2015 so as to read as follows:

"§ 2015. It shall be unlawful for any person, unless a registered pharmacist, known as a graduate in pharmacy, or as a licentiate in pharmacy within the meaning of this title, to open or conduct any pharmacy or store for retailing, dispensing or compounding medicines or poisons in the city or county of New York, except as hereinafter provided; provided, that the widow or legal representatives of a deceased person, who was a registered pharmacist known as a graduate in pharmacy or as a licentiate in pharmacy within the meaning of this title, may continue the business of such deceased pharmacist, provided that the actual retailing, dispensing or compounding of medicines or poisons be only by a graduate in pharmacy or a licentiate in pharmacy within the meaning of this title.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
 { NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Gallup	Kimball	Roesch
Ainsworth	Creamer	Gibbs	King	Ryan
Andrus	Cronin	Graham	Lane	Saunders
Aspinall	Crosby	Greene	Larmon	Saxton
Baker, A. B.	Curtis	Groat	Lewis	Schaaff
Baker, A. H.	Dante	Guenther	Loder	Sheldon
Bauer	Davidson	Haffner	Longley	Smith, T.
Blake	Decker	Hagan	McCarren	Tefft
Blanchfield	Demarest	Hamilton	Mesick	Treadway
Blumenthal	Dinkelspiel	Harwood	Moffitt	Van Gorder
Brown	Donaldson	Hughes	Moody	Walters
Brownell	Duffy	Hunting	Mullaney	West
Bush, R. P.	Dunham	Husted	Murray	Whipple
Clarke, C. C.	Edwards	Kelly	Newschafer	Yetman
Connelly	Endres	Kent	O'Neil	Young
Coon	Fitts	Kerrigan	Pearsall	Youngman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 788) entitled "An act to authorize the Board of Claims to hear, audit and determine the claim of Thomas Benway against the State for loss and damages to his property caused by the State, and to make an award therefor," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
 { NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Greene	McCann	Savery
Ainsworth	Crosby	Groat	McCarren	Saxton
Andrus	Curtis	Guenther	McKenzie	Schaaff
Aspinall	Dante	Haffner	McLaughlin	Sheldon
Baker, A. B.	Davidson	Haggerty	Mead	Smith, T.
Baker, A. H.	Decker	Harwood	Mesick	Stevens
Barton	Demarest	Hughes	Moffitt	Tefft
Bauer	Dinkelspiel	Hunting	Moody	Towne
Blanchfield	Dunham	Husted	Mullaney	Treadway
Blumenthal	Dunlap	Kerrigan	Murray	Van Gorder
Brown	Edwards	Kimball	Newschafer	Walters
Brownell	Endres	Lane	O'Neil	West
Cheney	Fitts	Larmon	Pearsall	Whipple
Clarke, C. C.	Flaherty	Little	Rhodes	Yetman
Connelly	Gallup	Longley	Rice	Young
Coon	Gibbs	Martin	Roesch	Youngman
Cottrell	Graham	McAdam	Ryan	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 701) entitled "An act to release to Mary Greene all the right, title and interest and estate of the people of the State of New York in and to certain real estate in the village of Youngstown, in the town of Porter, county of Niagara," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Cottrell	Greene	Loder	Ryan
Ainsworth	Creamer	Groat	Longley	Saunders
Aspinall	Cronin	Guenther	McAdam	Savery
Baker, A. B.	Crosby	Haffner	McCann	Saxton
Baker, A. H.	Curtis	Hagan	McCarren	Schaaff
Barton	Dante	Hamilton	McKenzie	Sheehan
Bauer	Davidson	Harwood	McMaster	Sheldon
Blake	Decker	Hughes	Mead	Smith, T.
Blanchfield	Demarest	Hunting	Mesick	Strassburg
Blumenthal	Dinehart	Husted	Miley	Tefft
Brown	Dinkelspiel	Kelly	Moffitt	Treadway
Brownell	Duffy	Kent	Moody	Upson
Bush, R. P.	Dunham	Kerrigan	Murray	Van Gorder
Cheney	Edwards	Kimball	Newschafer	Walters
Clarke, C. C.	Endres	Lane	O'Neil	West
Comstock	Fitts	Larmon	Rhodes	Yetman
Connelly	Gibbs	Lewis	Roesch	Young
Coon	Graham	Little		

For the negative,
Whipple

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 415) entitled "An act to authorize the Board of Claims to hear, audit and determine the claim of John F. McGowan and to make an award thereon," was read the third time.

Mr. Speaker, put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Haffner	McAdam	Savery
Ainsworth	Curtis	Hagan	McCann	Saxton
Andrus	Davidson	Hamilton	McCarren	Schaaff

Baker, A. B.	Decker	Harwood	McKenzie	Sheldon
Baker, A. H.	Demarest	Hayes	Mead	Smith, M. A.
Barton	Dinkelspiel	Hughes	Mesick	Smith, T.
Bauer	Donaldson	Husted	Miley	Tefft
Blumenthal	Duffy	Kelly	Moffitt	Towne
Brown	Dunham	Kent	Moody	Townsend
Brownell	Dunlap	Kerrigan	Mullaney	Treadway
Bush, R. P.	Edwards	Larmon	Murray	Walters
Cheney	Endres	Lewis	Newschafer	West
Clarke, C. C.	Gibbs	Little	Pearsall	Whipple
Cottrell	Graham	Loder	Rhodes	Yetman
Creamer	Groat	Longley	Rice	Young
Cronin	Guenther	Martin	Roesch	Youngman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (Rec. No. 160) entitled "An act to amend chapter 133 of the Laws of 1847, entitled 'An act authorizing the incorporation of rural cemetery associations, as amended by chapter 280 of the Laws of 1852, and as amended by chapter 238 of the Laws of 1854,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 77 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Connelly	Gibbs	Lane	Newschafer
Ainsworth	Coon	Graham	Larmon	Rhodes
Andrus	Cottrell	Greene	Lewis	Rice
Baker, A. B.	Cronin	Groat	Little	Roesch
Baker, A. H.	Dante	Guenther	Loder	Ryan
Barton	Davidson	Haffner	Martin	Saunders
Bauer	Decker	Hamilton	McAdam	Sheldon
Blake	Demarest	Harwood	McCann	Smith, T.
Blanchfield	Dinkelspiel	Hayes	McCarren	Treadway
Blumenthal	Duffy	Hitt	Mead	Van Gorder
Brown	Dunham	Hughes	Miley	Walters
Brownell	Dunlap	Kelly	Moffitt	West
Bush, R. P.	Edwards	Kent	Moody	Whipple
Cheney	Endres	Kerrigan	Mullaney	Yetman
Clarke, C. C.	Enz	King	Murray	Young
Comstock	Fitts			

For the negative,
Crosby

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (Rec. No. 162) entitled "An act to release the right, title and interest of the people of the State of New York in and to

certain real estate in the city of Elmira, county of Chemung and State of New York, to Henry Washington," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Creamer	Greene	Lewis	Roesch
Ainsworth	Cronin	Groat	Loder	Ryan
Andrus	Crosby	Guenther	Martin	Saunders
Aspinall	Curtis	Haffner	Maynard	Savery
Baker, A. B.	Dante	Hamilton	McAdam	Schaaff
Baker, A. H.	Davidson	Harwood	McCarren	Sheehan
Barton	Decker	Hayes	McKenzie	Smith, M. A.
Bauer	Demarest	Hitt	Miley	Smith, T.
Blake	Dinkelspiel	Hughes	Miller	Sperry
Blanchfield	Donaldson	Hunting	Moffitt	Tefft
Blumenthal	Duffy	Husted	Moody	Towne
Brown	Dunham	Kelly	Mullaney	Townsend
Brownell	Endres	Kent	Murray	Treadway
Bush, R. P.	Enz	Kerrigan	Newschafer	Van Gorder
Cheney	Fitts	Kimball	O'Neil	Walters
Connelly	Gallup	Lane	Rhodes	Young
Coon	Gibbs	Larmon	Rice	Youngman
Cottrell	Graham	Le Roy		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. McKenzie, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' so far as relates to auxiliary sewers." (No. 1109.)

"An act to amend chapter 91 of the Laws of 1880, entitled 'An act to enforce collection of the taxes levied in the county of Oneida,' as amended by chapter 8 of the Laws of 1881." (No. 416.)

"An act to amend chapter 198 of the Laws of 1876, entitled 'An act to amend chapter 140 of the Laws of 1850, entitled An act to authorize the formation of railroad corporations and to regulate the same,' so far as the same relates to cities of less than 1,000,000 inhabitants." (No. 508.)

"An act to provide for the establishment of dairy schools for the instruction of pupils in the science and art of dairy husbandry, and making an appropriation therefor." (No. 1069.)

"An act to amend chapter 120 of the Laws of 1886, entitled 'An act to revise the charter of the city of Lockport.'" (No. 928.)

"An act to amend chapter 314 of the Laws of 1874, entitled 'An act to establish a board of police and fire commissioners of the city of Utica,' and the acts amendatory thereof." (No. 1078.)

"An act to amend section 26 of chapter 466 of the Laws of 1877, entitled 'An act in relation to assignments of the estates of debtors for the benefit of creditors,' as amended by chapter 318 of the Laws of 1878, relating to trial of disputed claims and costs." (No. 1083.)

"An act to alter the commissioners' map of the city of Brooklyn." (No. 946.)

"An act to amend section 9 of article 2, title 2, chapter 13, part 1 of the Revised Statutes, relating to the assessment and collection of taxes." (No. 672.)

"An act to prohibit the sale and use of intoxicating liquors at State, county and town fairs, and at county reunions or encampments of organized associations of veterans of the late war, and within 200 yards of the place or premises where such fairs and reunions or encampments are held." (No. 738.)

"An act to authorize the common council of the city of Utica to raise by tax and disburse money in providing an additional engine-house in said city." (No. 436.)

"An act to incorporate the 'New York School of Anatomy' in the city of New York." (No. 1075.)

"An act to amend chapter 436 of the Laws of 1880, entitled 'An act to establish a police department in the city of Buffalo and to provide for the government thereof,' relating to the police force." (No. 952.)

"An act authorizing boards of supervisors to fix the salary of coroners of their respective counties instead of paying them fees." (No. 741.)

"An act to appropriate moneys for repairs to the Erie canal and to authorize such repairs to be made." (No. 495.)

"An act making an appropriation for the construction of a lift or hoist-bridge over the Erie canal, to take the place of the bridge known as the Church street bridge, in the city of Schenectady." (No. 1048.)

"An act to confer upon the commissioners of the land office authority to hear and determine applications for lands that have escheated to the State." (No. 1017.)

"An act to regulate the powers of the United States Harvey Way Construction Company." (No. 530.)

"An act to amend section 1341 of the Code of Civil Procedure, relating to limitation of time and security on appeal." (No. 670.)

"An act to authorize the Comptroller of the State to lease the old State Armory at Troy to the Grand Army of the Republic Association of the city of Troy." (No. 1018.)

"An act to authorize the dock department of the city of New York to construct a pier on the East river for the public use and enjoyment." (No. 151.)

"An act making an appropriation for the completion of the bridge and the approaches thereto across the Champlain canal at the east end of Ship street, in the city of Cohoes." (No. 924.)

"An act to provide for the semi-monthly payment of wages by corporations." (No. 582.)

The bill (No. 575) entitled "An act making an appropriation for the erection of buildings for the use of the Le Couteulx St. Mary's Insti-

tution for the Improved Instruction of Deaf-Mutes," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 66 }
{ NOES 14 }

Those who voted in the affirmative, were

Acker	Curtis	Guenther	McCann	Ryan
Andrus	Dante	Haffner	McCarren	Savery
Baker, A. B.	Demarest	Harwood	McKenzie	Schaaff
Baker, A. H.	Dinkelspiel	Hayes	Miley	Sheehan
Bauer	Donaldson	Hitt	Miller	Smith, T.
Blake	Duffy	Husted	Moffit	Sperry
Blanchfield	Dunham	Kelly	Mullaney	Tefft
Bush, R. P.	Dunlap	Kent	Murray	Townsend
Cheney	Endres	Kerrigan	Newschafer	Treadway
Clarke, C. C.	Enz	Kimball	O'Neil	Van Gorder
Comstock	Gibbs	Longley	Rhodes	Yetman
Connelly	Graham	Martin	Rice	Young
Creamer	Greene	McAdam	Roesch	Youngman
Cronin				

Those who voted in the negative, were

Ainsworth	Edwards	King	Mead	Sheldon
Crosby	Fitts	Larmon	Pearsall	Whipple
Decker	Hughes	Lewis	Saunders	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 197) entitled "An act for the protection of shad and game fish in the river Delaware," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, three-fifths being present.

{ AYES 78 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Cottrell	Guenther	Martin	Ryan
Ainsworth	Creamer	Haffner	Maynard	Saunders
Andrus	Cronin	Hamilton	McAdam	Schaaff
Aspinall	Curtis	Hayes	McCann	Sheldon
Baker, A. B.	Dante	Hughes	McKenzie	Smith, T.
Baker, A. H.	Decker	Hunting	Miley	Stevens
Blake	Demarest	Husted	Moffitt	Tefft
Blanchfield	Dinkelspiel	Kelly	Moody	Townsend
Brown	Duffy	Kent	Mullaney	Treadway

Brownell	Dunlap	Kerrigan	Murray	Van Gorder
Bush, R. P.	Endres	King	Newschafer	Walters
Cheney	Enz	Larmon	O'Neil	West
Clarke, C. C.	Fitts	Lewis	Rhodes	Whipple
Comstock	Gibbs	Little	Rice	Young
Connelly	Greene	Loder	Roesch	Youngman
Coon	Groat	Longley		

For the negative,

Graham

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 434) entitled "An act to provide for the deficiency in the revenue of the common school fund" (Rec. No. 164), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Haffner	Longley	Roesch
Ainsworth	Davidson	Hamilton	Martin	Ryan
Aspinall	Decker	Harwood	Maynard	Saunders
Baker, A. B.	Demarest	Hitt	McAdam	Schaaff
Blake	Dinkelspiel	Hughes	McCann	Sheldon
Blanchfield	Duffy	Husted	McKenzie	Smith, T.
Blumenthal	Dunlap	Kelly	Miley	Stevens
Brown	Edwards	Kent	Miller	Tefft
Brownell	Endres	Kerrigan	Moffitt	Townsend
Bush, R. P.	Enz	Kimball	Moody	Van Gorder
Cheney	Fitts	King	Mullaney	Walters
Clarke, C. C.	Gibbs	Lane	Murray	Whipple
Connelly	Graham	Larmon	Newschafer	Yetman
Coon	Greene	Lewis	O'Neil	Young
Cottrell	Groat	Little	Rhodes	Youngman
Cronin	Guenther	Loder	Rice	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 812) entitled "An act to amend chapter 676 of the Laws of 1887, entitled 'An act to amend chapter 361 of the Laws of 1884, entitled An act to establish a State board of pharmacy, and to regulate the practice of pharmacy throughout the State of New York, except in the counties of New York, Kings and Erie,'" was read the third time.

CONCURRED

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Curtis	Haffner	Maynard	Ryan
Ainsworth	Dante	Hamilton	McAdam	Saunders
Baker, A. B.	Davidson	Harwood	McCann	Savery
Baker, A. H.	Decker	Hayes	McCarren	Schaaff
Bauer	Demarest	Hughes	Miley	Sheehan
Blake	Dinkelspiel	Hunting	Miller	Sheldon
Blanchfield	Duffy	Husted	Moffitt	Smith, T.
Blumenthal	Dunlap	Kerrigan	Moody	Tefft
Brown	Edwards	Kimball	Mullaney	Townsend
Brownell	Endres	Lane	Murray	Treadway
Cheney	Enz	Larmon	Newschafer	Van Gorder
Clarke, C. C.	Gibbs	Lewis	O'Neil	Walters
Comstock	Graham	Little	Pearsall	Whipple
Coon	Greene	Loder	Rhodes	Yetman
Cottrell	Groat	Longley	Rice	Young
Cronin	Guenther	Martin	Roesch	Youngman

For the negative,

Bush, R. P.

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 813) entitled "An act to confirm and legalize the proceedings of the town of Oswegatchie, in the county of St. Lawrence, held in February, 1889," having been announced for a third reading,

On motion of Mr. Curtis, and by unanimous consent, the same was amended as follows (reference to the printed bill):

Section 1, line 1, strike out the word "that."

Same section, line 8, after the words "viva voce" insert the words "without notice," and after the word "ballot" add the words "after due notice."

Amend the title so as to read "An act to confirm and legalize the proceedings of the town meeting of Oswegatchie, in the county of St. Lawrence, held in February, 1889."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Groat	Little	Ryan
Ainsworth	Creamer	Guenther	Loder	Saunders
Andrus	Cronin	Haffner	Longley	Savery
Aspinall	Crosby	Hamilton	Martin	Schaaff

Baker, A. B.	Curtis	Harwood	McAdam	Sheldon
Baker, A. H.	Davidson	Hayes	McCann	Smith, T.
Barton	Decker	Hughes	McKenzie	Sperry
Bauer	Demarest	Huntting	Mesick	Tefft
Blanchfield	Dinkelspiel	Husted	Miley	Townsend
Blumenthal	Dunlap	Kelly	Moffitt	Treadway
Brown	Endres	Kent	Moody	Upson
Bush, R. P.	Enz	Kerrigan	Mullaney	Van Gorder
Cheney	Fitts	Kimball	Murray	Walters
Clarke, C. C.	Flaherty	King	O'Neil	West
Comstock	Gibbs	Lane	Pearsall	Yetman
Connelly	Graham	Larmon	Rice	Young
Coon	Greene	Lewis	Roesch	Youngman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 816) entitled "An act to legalize and confirm the foreclosure of mortgages on real estate by advertisement, in certain cases," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 77 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Cronin	Haffner	Martin	Ryan
Ainsworth	Dante	Hamilton	McAdam	Saunders
Andrus	Davidson	Harwood	McCann	Savery
Baker, A. B.	Decker	Hayes	McKenzie	Saxton
Baker, A. H.	Demarest	Hughes	Mead	Schaaff
Bauer	Dinkelspiel	Huntting	Miley	Sheehan
Blake	Donaldson	Husted	Moffitt	Sheldon
Blanchfield	Dunlap	Kent	Moody	Smith, T.
Blumenthal	Endres	Kerrigan	Mullaney	Sperry
Brown	Enz	Kimball	Murray	Tefft
Bush, R. P.	Fitts	Larmon	Newschafer	Treadway
Cheney	Gibbs	Lewis	O'Neil	Van Gorder
Clarke, C. C.	Graham	Little	Rhodes	Walters
Comstock	Greene	Loder	Rice	Whipple
Coon	Groat	Longley	Roesch	Young
Cottrell	Guenther			

For the negative,
Crosby

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 817) entitled "An act to provide for the construction of an iron highway bridge over the canal at Main street, in the village of Newark, Wayne county, and making an appropriation therefor," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Creamer	Gallup	Lane	O'Neil
Ainsworth	Cronin	Gibbs	Larmon	Pearsall
Aspinall	Crosby	Graham	Little	Rhodes
Baker, A. B.	Curtis	Greene	Loder	Rice
Baker, A. H.	Dante	Groat	Longley	Roesch
Bauer	Davidson	Guenther	Martin	Saunders
Blake	Decker	Haffner	Maynard	Savery
Blanchfield	Demarest	Hamilton	McCann	Smith, T.
Blumenthal	Dinkelspiel	Harwood	McCarren	Tefft
Brown	Duffy	Hayes	McKenzie	Treadway
Bush, R. P.	Dunham	Hughes	Mead	Van Gorder
Cheney	Dunlap	Hunting	Miley	Walters
Clarke, C. C.	Edwards	Husted	Moody	Whipple
Comstock	Endres	Kerrigan	Mullaney	Young
Coon	Enz	Kimball	Murray	Youngman
Cottrell	Fitts	King	Newschafer	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 819) entitled "An act for the preservation of certain ancient vaults and burial plots in Van Cortlandt park in the Twenty-fourth ward of the city of New York and in Pelham bay park in the county of Westchester," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Graham	Martin	Saunders
Ainsworth	Crosby	Greene	McAdam	Schaaff
Aspinall	Curtis	Groat	McCann	Sheehan
Baker, A. B.	Davidson	Guenther	McCarren	Sheldon
Baker, A. H.	Decker	Haffner	McKenzie	Smith, T.
Blake	Demarest	Harwood	Miley	Stevens
Blanchfield	Dinkelspiel	Hayes	Moody	Tefft
Blumenthal	Donaldson	Hughes	Mullaney	Townsend
Bush, R. P.	Duffy	Hunting	Murray	Treadway
Cheney	Dunham	Husted	O'Neil	Upton
Clarke, C. C.	Dunlap	Kent	Pearsall	Van Gorder
Comstock	Edwards	Kerrigan	Rhodes	Walters

Connelly	Endres	Lane	Rice	Whipple
Coon	Enz	Larmon	Roesch	Young
Cottrell	Fitts	Lewis	Ryan	Youngman
Creamer	Gibbs	Longley		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 386) entitled "An act to authorize the Nyack and Tarrytown Ferry Company to continue a ferry across the Hudson river from Tarrytown, in the county of Westchester, to Nyack, in the county of Rockland," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Greene	Loder	Ryan
Ainsworth	Crosby	Groat	Longley	Saunders
Andrus	Davidson	Guenther	Martin	Savery
Baker, A. B.	Decker	Haffner	McAdam	Schaaff
Bauer	Demarest	Hamilton	McCann	Sheehan
Blake	Dinkelspiel	Harwood	McKenzie	Sheldon
Blanchfield	Donaldson	Hughes	Mead	Smith, T.
Blumenthal	Duffy	Hunting	Miley	Tefft
Bush, R. P.	Dunham	Husted	Moffitt	Townsend
Cheney	Dunlap	Kelly	Moody	Upson
Clarke, C. C.	Edwards	Kent	Mullaney	Van Gorder
Comstock	Endres	Kerrigan	Murray	Walters
Connelly	Enz	Kimball	O'Neil	Whipple
Coon	Fitts	Lane	Pearsall	Young
Cottrell	Gibbs	Larmon	Rice	Youngman
Creamer	Graham	Lewis	Roesch	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The hour of 10 o'clock having arrived, the House adjourned.

WEDNESDAY, APRIL 24, 1889.

The House met pursuant to adjournment.

Prayer by Rev. Edward Selkirk.

On motion of Mr. Crosby, the journal of yesterday was approved without being read.

Mr. Husted, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Collins, Int. No. 280, entitled "An act to provide for the construction of fishways on all

dams hereafter erected in this State on streams that are public highways," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Ryan, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

Mr. Husted, from the committee on ways and means, reported in favor of the adoption of the following resolution:

Resolved, That the committee on ways and means be discharged from the further consideration of the Senate bill introduced by Mr. Kellogg, Int. No. 282, entitled "An act conferring jurisdiction upon the Board of Claims to hear and determine certain claims against the State, and to make awards," and that the same be referred to the committee on claims.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Youngman, said bill was substituted for Assembly bill No. 793, now on the order of third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Sperry, Int. No. 28, entitled "An act to amend section 1 of title 16 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,'" reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to amend section 1 of title 16 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' with reference to the department of parks," which report was agreed to.

On motion of Mr. Sperry, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and to be read the third time on Wednesday, May first.

Mr. Kimball, from the committee on railroads, to which was referred the bill introduced by Mr. Ainsworth, Int. No. 881, entitled "An act to regulate the lighting of steam passenger cars," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Ainsworth moved that the committee of the whole be discharged from the further consideration of said bill and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Kimball, from the committee on railroads, to which was referred the bill introduced by Mr. Demarest, Int. No. 1187, entitled "An act to enable companies or individuals owning street railways in any of the cities or towns of the State of New York having less than 1,000,000 inhabitants, operated by horse power traction to change the same to pneumatic, electric or cable traction," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kimball, from the committee on railroads, to which was referred the bill introduced by Mr. Duffy, Int. No. 702, entitled "An act to

amend chapter 140 of the Laws of 1850, entitled 'An act to authorize the formation of railroad corporations and to regulate the same,' reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Kimball, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Coggeshall, Int. No. 289, entitled "An act for the relief of the Utica Belt Line Street Railroad Company," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Kimball, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Walker, Int. No. 228, entitled "An act to amend chapter 218 of the Laws of 1839, entitled 'An act authorizing railroad companies to contract with each other,'" reported the same for the consideration of the House, and said bill committed to the committee of the whole.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hamilton, Int. No. 934, entitled "An act to provide for the appointment and maintenance of a non-partisan board of police commissioners in the city of New York," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hagan, Int. No. 480, entitled "An act to amend chapter 262 of the Laws of 1887, entitled 'An act to amend chapter 410 of the Laws of 1882, entitled An act to consolidate into one act and to declare the special and local laws affecting public interest in the city of New York,'" reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and declare the special and local laws affecting public interest in the city of New York, relating to police justices, and the clerks of the court of special sessions,'" which report was agreed to.

On motion of Mr. Hagan, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and to be read the third time to-day.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Schaaff, Int. No. 872, entitled "An act to amend chapter 583 of the Laws of 1888, being 'An act entitled an act to revise and combine in a single act all existing special and local laws affecting public interest in the city of Brooklyn, so as to abolish the office of constable, and to provide for the appointment of marshals instead thereof,'" reported in favor of the passage of the same, with amendment, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Bauer, Int. No. 917, entitled "An act to authorize and empower the city of Rochester to acquire lands and waterways, ponds and streams in the city of Rochester, or in any of the towns adjoining said city, or any easement, either

perpetual or for a term of years in any such lands, waterways, ponds or streams for the purpose of drainage, and sewerage," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Blumenthal, Int. No. 847, entitled "An act to amend chapter 716 of the Laws of 1887, entitled 'An act in relation to the electrical conductors in the city of New York,'" reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McLaughlin, Int. No. 870, entitled "An act to authorize the board of estimate of the city of Brooklyn to fix the salaries of the commissioners of the department of health and the commissioners of excise of the city of Brooklyn," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hagan, Int. No. 1197, entitled "An act to provide for the change of the name of the Foundling Asylum of the Sisters of Charity in the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Haffner, Int. No. 874, entitled "An act to amend chapter 404 of the Laws of 1875, entitled 'An act to authorize appropriations for the poor adult blind in the city of New York, not provided for in public or private institutions,'" reported in favor of the passage of the same, with amendments, which report was agreed to.

On motion of Mr. Haffner, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and referred to the committee on revision.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Creamer, Int. No. 929, entitled "An act amending chapter 487 of the Laws of 1885, and chapter 573 of the Laws of 1888, and in relation to the bridge over the Harlem river and the lands adjacent thereto," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act in relation to the bridge over the Harlem river, in the city of New York, constructed by the commissioners appointed in pursuance of chapter 487 of the Laws of 1885, entitled 'An act to provide for the construction of a bridge over the Harlem river, in the city of New York,'" which report was agreed to.

On motion of Mr. Creamer, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and referred to the committee on revision.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Sullivan, Int. No. 1211, entitled "An act to amend section 3 of chapter 529 of the Laws of 1884, entitled 'An act to make provision for a public park in the Seventh ward in the city of New York, including therein all necessary altera-

tions of the map or plan of said city, the acquisition of land for such park, and the payment of all expenses connected therewith from moneys to be raised by bonds, taxes and assessments for local improvements," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading, and ordered to be read the third time at 12 o'clock to-day.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Longley, Int. No. 997, entitled "An act in relation to Second avenue in the city of Brooklyn," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill restored to its place on the order of third reading, and ordered to be read the third time to-morrow, immediately after the reading of the journal.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Connelly, Int. No. 472, entitled "An act to change the name of the Manhattan Dispensary in the city of New York," reported in favor of the passage of the same, with amendments, which report was agreed to.

On motion of Mr. Connelly, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and referred to the committee on revision.

Mr. Crosby, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Ives, Int. No. 283, entitled "An act relative to the power of the board of street opening and improvement in the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Crosby, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Van Cott, Int. No. 140, entitled "An act to amend section 85 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act, and to declare the special and local laws affecting public interest in the city of New York, relating to the enforcement of ordinances, rules and regulations,'" reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Crosby, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Worth, Int. No. 234, entitled "An act to create two additional local inferior courts in the city of Brooklyn," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill restored to its place on the order of third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Langbein, Int. No. 258, entitled "An act to authorize an examination of the claim of Thomas O'Connor, and to audit and pay the amount that may be justly due," reported in favor of the passage of the same, which report was agreed to and said bill restored to its place on the order of third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Coggeshall, Int. No. 103,

entitled "An act to authorize the common council of the city of Utica to raise by tax and disburse money in providing an additional engine house in said city," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Kent, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Coggeshall, Int. No. 102, entitled "An act to amend chapter 314 of the Laws of 1874, entitled 'An act to establish a board of police and fire commissioners of the city of Utica, as amended by chapter 423, Laws of 1876, chapter 494, Laws of 1883, chapter 93, Laws of 1884, chapter 140, Laws of 1886, chapter 541, Laws of 1886, chapter 607, Laws of 1887, and to limit the amount to be expended by said board,'" reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Saxton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Graham, Int. No. 287, entitled "An act to amend sections 168 and 552 of the Penal Code," reported the same, with amendments, for the consideration of the House, and the title amended so as to read "An act to amend sections 168, 170 and 675 of the Penal Code," and said bill committed to the committee of the whole.

On motion of Mr. Saxton, it was ordered that said bill, when printed, be recommitted to the committee on the judiciary.

Mr. Saxton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Saxton, Int. No. 822, entitled "An act to amend section 2558 of the Code of Civil Procedure, relating to probate of wills," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Saxton, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading, and referred to the committee on revision.

Mr. Saxton, from the committee on the judiciary to which was referred the Senate bill introduced by Mr. Grady, Int. No. 246, entitled "An act to amend chapter 342 of the Laws of 1885, entitled 'An act for the better security of mechanics, laborers and others who perform labor or furnish materials for buildings and other improvements in the several cities and counties of this State, and to repeal acts and parts of acts,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Roesch, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

Mr. Saxton, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Langbein, Int. No. 268, entitled "An act to amend section 22 of the Code of Criminal Procedure, relating to the jurisdiction of the courts of oyer and terminer," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Saxton, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Robertson, Int. No. 263, entitled "An act to amend sections 67 and 68 of the Code of Civil Pro-

cedure, relative to the removal of attorneys and counselors," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Van Gorder, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Savery, from the committee on prisons, to which was referred the Senate bill introduced by Mr. Russell, Int. No. 39, entitled "An act to abolish the office of State Agent for Discharged Convicts," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Creamer introduced a bill entitled "An act to prevent the sale and delivery of adulterated wheat in the markets of this State" (Int. No. 1219), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Mr. A. H. Baker, from the committee on public health, to which was referred the bill introduced by Mr. Nixon, Int. No. 985, entitled "An act to amend chapter 647 of the Laws of 1887, entitled 'An act to regulate the licensing and registration of physicians and surgeons, and to codify the medical laws of the State of New York,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Nixon, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and referred to the committee on revision.

Mr. A. H. Baker, from the committee on public health, to which was referred the bill introduced by Mr. Nixon, Int. No. 986, entitled "An act to amend chapter 476 of the Laws of 1872, entitled 'An act relating to the examination of candidates for the degree of doctor of medicine,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. A. H. Baker, from the committee on public health, to which was referred the bill introduced by Mr. Stevens, Int. No. 659, entitled "An act to amend chapter 313 of the Laws of 1886, entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of New York,' as amended by chapter 166 of the Laws of 1887," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Stevens, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and referred to the committee on revision.

Mr. A. H. Baker, from the committee on public health, to which was referred the bill introduced by Mr. Crosby, Int. No. 1158, entitled "An act providing for the care and treatment of persons, not residents of the city of New York, who arrive at the port of New York and are sick with small-pox or any contagious or infectious disease, and the duties of the commissioners of emigration and health department of the city of New York relative thereto," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Crosby, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and referred to the committee on revision.

Mr. Cheney introduced a bill entitled "An act ratifying and confirming a resolution passed by the board of supervisors of Onondaga

county, authorizing the county treasurer of said county to borrow certain moneys" (Int No. 1220), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cheney, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and to be read the third time on May second.

Mr. Whipple, from the committee on insurance, to which was referred the bill introduced by Mr. King, Int. No. 1195, entitled "An act to amend chapter 276 of the Laws of 1885, entitled 'An act to amend chapter 489 of the Laws of 1879, entitled An act to regulate the issuance of policies, and the reinsurance thereof by fire insurance companies transacting business in this State,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Stevens, from the committee on game laws, to which was referred the bill introduced by Mr. Hamilton, Int. No. 481, entitled "An act for the preservation of fish in the St. Lawrence river, and the waters of Lake Ontario adjacent to the shore of Jefferson county," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

The privileges of the floor were extended to Hons. James G. Johnson, O. S. Vreeland, Thomas S. Magner, ex-Senator Koch, James A. Martin, Charles W. Cole, James Oliver, Wm. Parkhurst, Harlo Hakes, Wm. D. Veeder and John Van Voorhis.

On motion of Mr. Husted, the privileges of the floor were extended to Hon. Oliver Mowatt, ex-Premier of Ontario, Canada.

Leave of absence was granted to Mr. Husted till April twenty-fifth.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 261 of the Laws of 1888, entitled 'An act to amend chapter 706 of the Laws of 1887, entitled 'An act to provide for the relief of indigent soldiers, sailors and marines and the families of those deceased'" (No. 821), reported the same with the recommendation that it be amended as follows:

Section 1, line 1, after the word "one" insert the word "of."

Same section, lines 1, 2 and 3, after the word "one," in line 1, strike out all down to and including the word "amend" in line 3.

Same section, line 6, after the word "deceased" insert the words "as amended by chapter 261 of the Laws of 1888;" same line, strike out the word "are" before the word "hereby;" after the word "amended" insert the words "so as;" same line, strike out the word "respectively."

After section 1 insert the following:

"§ 2. Section 2 of said act, as amended by chapter 261 of the Laws of 1888, is hereby amended so as to read as follows."

After section 2, insert the following:

"§ 3. Section 3 of said act, as amended by said chapter, is hereby amended so as to read as follows."

After section 3, insert as follows:

"§ 4. Section 4 of said act, as amended by said chapter, is hereby amended so as to read as follows."

Make "§ 2," on page 4, "§ 5."

Amend the title by striking out all after the word "chapter" in first line, down to and including the word "chapter" in third line; also by adding at the end the words, "as amended by chapter 261 of the Laws of 1888, relating to powers of visiting boards to grant relief."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to provide for the construction of fishways in the dam across the Chenango river, in the village of Chenango Forks, Broome county, New York, and making an appropriation therefor" (No. 1161), reported the same with the recommendation that it be amended as follows:

Section 2, line 2, after the word "necessary" insert the words "payable upon the warrant of the Comptroller to the said Superintendent."

Amend the title by striking out the word "New York."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendation:

"An act to extend the time to file maps showing the boundary line between New York and New Jersey in lands under water in the Arthur kill, Kill von Kull and New York bay." (No. 1153.)

"An act to extend the time for the completion of the labors of the board of adjustment in the town of Newtown, in the county of Queens, as provided by chapter 129 of the Laws of 1888." (No. 1157.)

Ordered, That said bills be engrossed for a third reading.

Mr. Bauer introduced a bill entitled "An act to authorize the issue of the bonds of the city of Rochester to pay for an additional water supply" (Int. No. 1221), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Bauer, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and printed, and referred to the committee on revision.

Also, "An act to provide for the payment of the cost and expenses of the construction of a trunk sewer on the east side of the Genesee river in the city of Rochester, by the issue of bonds of said city, and to provide for the payment of said bonds by local assessment" (Int. No. 1222), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Bauer, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and printed, and referred to the committee on revision.

Mr. Sheehan introduced a bill entitled "An act to authorize the city of Buffalo to grade and pave certain streets and highways in said city recently used as plankroads, and to defray the expense thereof by local assessments of fifteen equal annual installments" (Int. No. 1223), which was read the first time, and by unanimous consent, was also read the second time.

On motion of Mr. Sheehan, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Groat	Little	Savery
Adams	Dante	Guenther	Longley	Saxton
Ainsworth	Davidson	Haffner	Martin	Schaaff
Andrus	Decker	Hagan	Maynard	Sheehan
Baker, A. B.	Demarest	Haggerty	McCarren	Sheldon
Barton	Dinehart	Hamilton	McKenzie	Smith, T.
Bauer	Dinkelspiel	Hughes	McMaster	Stevens
Blake	Dunham	Huntting	Mesick	Tefft
Blanchfield	Dunlap	Husted	Nixon	Towne
Blumenthal	Edwards	Kent	Pearsall	Upson
Brownell	Endres	Kerrigan	Peck	Van Gorder
Cheney	Fish	Kimball	Rhodes	Walters
Comstock	Fitts	Lane	Rice	West
Connolly	Gallup	Larmon	Roesch	Yates
Coon	Gibbs	Le Roy	Ryan	Yetman
Cottrell	Graham	Lewis	Saunders	Young
Cronin	Greene			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

On motion of Mr. McMaster, and by unanimous consent, the committee of the whole was discharged from the further consideration of Senate bill No. 333, entitled "An act to amend section 691 of the Penal Code, relating to habitual criminals" (Rec. No. 130), and the same was ordered to a third reading.

Mr. Husted offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That in honorable recognition of the long, faithful and distinguished services of Col. Emmons Clark in the National Guard of the State of New York, and as commandant for twenty-five years of the Seventh regiment, the Governor be and is hereby authorized and requested to confer upon him the brevet rank of brigadier-general in the National Guard of the State of New York, for meritorious services.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Towne introduced a bill entitled "An act to amend chapter 396 of the Laws of 1885, entitled "An act to revise the charter of the city of Dunkirk" (Int. No. 1224), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Towne, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading, and to be read the third time April twenty-sixth.

On motion of Mr. Dunlap, and by unanimous consent, the committee of the whole was discharged from the further consideration of Senate bill No. 415, entitled "An act to amend chapter 311 of the Laws of 1859, entitled 'An act to provide for the inspection and sealing of gas meters, and for the protection of consumers of illuminating gas'" (Rec. No. 195), and the same was ordered to a third reading, and to be read May eighth, immediately after the reading of the journal.

On motion of Mr. Gibbs, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill (No. 1130) entitled "An act to amend section 52 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' by giving salaries to the commissioners of the department of parks," and the same was ordered to a third reading and to be read the third time at 1 o'clock to-day.

Mr. Peck offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 784, entitled "An act to provide for the erection of a State armory in the village of Cortland, county of Cortland, and making an appropriation therefor," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Speaker presented the report of the Commissioners on Sources of Water Supply for the city of Syracuse; which was laid upon the table and ordered printed.

(See Doc. No. 100.)

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 538, entitled "An act to amend section 422 of chapter 676 of the Laws of 1881, entitled 'An act to establish a Penal Code,' relating to position of cars in passenger trains," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate with a message that the Assembly have concurred in the passage of the same.

Mr. Saxton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Husted, Int. No. 395, entitled "An act to amend section 211 of the Code of Criminal Procedure," reported the same for the consideration of the House, and said bill committed to the committee of the whole.

On motion of Mr. Saxton, it was ordered that said bill, when printed, be recommitted to the committee on the judiciary.

Mr. Saxton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Husted, Int. No. 396, entitled "An act to amend section 732 of the Code of Criminal Procedure, in regard to Special Sessions," reported the same for the consideration of the House, and said bill committed to the committee of the whole.

On motion of Mr. Saxton, it was ordered that said bill, when printed, be recommitted to the committee on the judiciary.

Mr. Saxton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Husted, Int. No. 397, entitled "An act to amend section 56 of the Code of Criminal Procedure, in reference to the exclusive jurisdiction of Courts of Special Sessions," reported the same for the consideration of the House, and said bill committed to the committee of the whole.

On motion of Mr. Saxton, it was ordered that said bill, when printed, be recommitted to the committee on the judiciary.

Mr. Saxton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Husted, Int. No. 394, entitled "An act to amend section 717 of the Code of Criminal Procedure," reported the same for the consideration of the House, and said bill committed to the committee of the whole.

On motion of Mr. Saxton, it was ordered that said bill, when printed, be recommitted to the committee on the judiciary.

Mr. Peck, from the subcommittee of the whole, presented a report in writing; which was laid upon the table and ordered printed.

(See Doc. No. 99.)

The Senate returned the concurrent resolution, relative to the recommendation of Colonel Emmons Clark as brevet brigadier-general in the national guard of the State for meritorious services, with a message that they have concurred in the passage of the same.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill No. 784, entitled "An act to provide for the erection of a State armory in the village of Cortland, county of Cortland, and making an appropriation therefor," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same.

"An act to authorize the board of supervisors of Kings county to borrow money to be expended in fitting up and furnishing the armory of the Thirty-second regiment, National Guard, State of New York." (No. 935.)

"An act to amend chapter 458 of the Laws of 1884, entitled 'An act to provide additional accommodations for the common schools in the city of New York,' as amended and extended by chapter 494 of the Laws of 1885, chapter 456 of the Laws of 1886, and chapter 136 of the Laws of 1888." (No. 824.)

"An act making an appropriation for rebuilding portions of the

canal wall and the culvert between the Oswego canal and the Oswego river, in the city of Oswego." (No. 663.)

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' relating to assessments." (No. 1022.)

"An act to authorize the Keeseville, Ausable Chasm and Lake Champlain Railroad Company to charge and collect rates of fare for passengers upon its railway." (No. 1019.)

"An act to provide for ditches to carry off the leakage from the canals, and making an appropriation therefor." (No. 178.)

"An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction, and chapter 248 of the Laws of 1878, entitled An act in relation to the election of officers in certain school districts, and chapter 210 of the Laws of 1880, entitled An act to provide for the dissolution of Union free school districts in certain cases, and the several acts amendatory thereof and supplementary thereto, relating to the time for holding the annual meetings and elections in the school districts of the State, and reports of commissioners.'" (No. 307.)

"An act to amend section 6 of title 19 and section 32 of title 22 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn.'" (No. 71.)

"An act to amend section 74 of article 5 of title 5 of chapter 9 of the first part of the Revised Statutes, relating to trespasses upon lands." (No. 864.)

"An act to amend chapter 697 of the Laws of 1887, entitled 'An act to lay out and establish an exterior street along a portion of the East river in the city of New York, and to alter the map or plan of the city of New York to conform thereto.'" (No. 674.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled bills:

"An act to provide for the purchase of a site for and the erection of an armory in the city of Brooklyn and making an appropriation therefor, and to provide for the taking of real estate for such site by commission in case the same cannot be purchased by agreement." (No. 457.)

"An act to amend chapter 214 of the Laws of 1888, entitled 'An act to revise the charter of the city of Binghamton.'" (No. 359.)

"An act to amend chapter 330 of the Laws of 1850, entitled 'An act reincorporating the village of Little Falls by the name of Rockton,' and the several acts amendatory thereof." (Int. No. 864.)

"An act to provide for the payment of the expenses of certain proceedings under the authority of the late comptroller of the city of New York before the committee on commerce and navigation of the Assembly." (No. 281.)

"An act to legalize the acts of the St. Paul's African Methodist Episcopal Church in Morrisania, Westchester county, and to correct certain defects in its articles of incorporation." (No. 171.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled Senate bills, with a message that they have concurred in the amendments of the Assembly thereto:

"An act to amend chapter 399 of the Laws of 1885, entitled 'An act to prevent the pollution of the water of the Susquehanna river within five miles above the water-works of the city of Binghamton, and making an appropriation therefor.'" (Rec. No. 159.)

"An act to amend an act entitled 'An act to amend chapter 574 of the Laws of 1873, entitled An act to incorporate the Old Guard of the city of New York.'" (Rec. No. 267.)

Ordered, That the Clerk return said bills to the Senate.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same, as amended:

"An act to amend chapter 370 of the Laws of 1875, entitled "An act to amend and consolidate the several acts relating to the city of Elmira." (No. 297.)

"An act transferring the powers conferred on the board of water commissioners of the village of Fredonia by chapter 97 of the Laws of 1882, and conferring the same upon the board of trustees of said village." (No. 927.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 569, entitled "An act to provide for the erection of a State armory at Niagara Falls, N. Y., and making an appropriation therefor" (Rec. No. 252), for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order of the day, being the bill entitled as follows:

"An act to amend chapter 586 of the Laws of 1888, entitled 'An act providing for the proper employment of convicts in the penal institutions of the State, and making an appropriation necessary to prevent the prisoners from remaining in idleness.'" (No. 1163.)

The House then resolved itself into a committee of the whole, and proceeded to the consideration of said bill.

After some time spent therein, Mr. Speaker resumed the chair, and Mr. King, from said committee, reported progress on the same, and asked and obtained leave to sit again.

Mr. Hamilton moved to substitute printed bill No. 1165 for the bill before the House (No. 1163.)

Mr. Ainsworth moved to amend by striking out all after the enacting clause, and substituting the provisions of Senate bill No. 647, and amend the title so as to read "An act to amend title 2 of chapter 3 of part 4 of the Revised Statutes, relating to State prisons."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Ainsworth, and it was determined in the affirmative.

{ AYES 62 }
{ NOES 51 }

Those who voted in the affirmative, were

Acker	Crosby	Greene	McAdam	Savery
Ainsworth	Curtis	Groat	McKenzie	Saxton
Andrus	Davidson	Hughes	McMaster	Sheldon
Aspinall	Decker	Hunting	Mead	Sperry
Baker, A. B.	de Peyster	Husted	Mesick	Stevens
Baker, A. H.	Dinehart	Kimball	Moffitt	Tefft
Barton	Dinkelspiel	King	Moody	Towne
Blumenthal	Donaldson	Lane	Nixon	Upson
Brownell	Dunlap	Larmon	Pearsall	Van Gorder
Bush, R. P.	Edwards	Lewis	Peck	Walters
Clark, J.	Enz	Loder	Rhodes	West
Comstock	Fish	Maynard	Saunders	Speaker
Cottrell	Fitts			

Those who voted in the negative, were

Adams	Flaherty	Hornidge	McLaughlin	Sheehan
Bauer	Gallup	Kelly	Miley	Smith, C.
Blake	Gibbs	Kent	Miller	Smith, T.
Blanchfield	Graham	Kerrigan	Murray	Strassburg
Brown	Haffner	Le Roy	Newschafer	Sullivan
Cheney	Hagan	Little	O'Neil	Whipple
Connelly	Haggerty	Longley	Rice	Yates
Coon	Hamilton	Martin	Roesch	Yetman
Creamer	Hayes	McCann	Ryan	Young
Duffy	Hitt	McCarren	Schaaff	Youngman
Endres				

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Hamilton to substitute bill No. 1165, and it was determined in the negative.

Pursuant to order of the House, and by unanimous consent, said bill was announced for a third reading.

Mr. Yates moved to amend by striking out, in line 404, printed bill, the words "agent or warden" and inserting the word "Comptroller."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Yates moved to amend by striking out, in line 445, the words "agent or warden" and inserting the word "Comptroller."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Savery moved to amend by striking out, in line 670, the word "clerk" and inserting the word "chaplain;" also, by striking out, in line 674, the word "secretary" and inserting the word "clerk."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Adams moved to amend by inserting, after the word "purpose," in line 753, the words "but no persons shall be employed, either in or out of the prisons, penitentiaries or other place where convicts are confined, for the purpose of increasing the production thereof."

Neither shall material be purchased with the work partly done. The labor on all work manufactured must be by convicts only."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Adams moved to amend by striking out, in line 759, the words "as far as practicable."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Savery moved to amend by striking out, in line 852, the word "may" and inserting the word "shall."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Yates moved to amend by striking out in lines 862, 863 and 864 the words "The prisoners shall not be employed elsewhere than at the respective prisons where they may be confined or at the yards or grounds connected therewith."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Peck moved to amend by changing the word "eight" to "six" in line 867.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Ainsworth moved to amend by striking out, in line 867, the words "at least" and inserting the words "not to exceed."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Kerrigan moved to amend by inserting after the word "day," in line 867, the words "that task system be abolished."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Yates moved to strike out sections 103 and 104 and insert the following:

"§ 103. No motive power machinery for manufacturing purposes shall be placed or used in any of the State prisons, penitentiaries, reformatories, houses of correction, or any penal institutions of this State or of the counties thereof in which prisoners are confined, by the sentence of any court for the purpose of punishment or reform; and no person in any such institution shall be required or allowed to work while under sentence therein at any trade or industry, where his labor or profit of his labor is farmed out, contracted, given or sold to any person whomsoever, except in accordance with the provisions of this act.

"§ 104. The sheriffs of the several counties of the State are hereby [directed and required] to cause all prisoners who may be sentenced by the judgment of any of the courts of this State to confinement to the county jail at hard labor, to be put at work in cultivating and improving the county and town lands, highways, roads and bridges, breaking stone therefor, and such other public work, and at such time and at such locality within their several counties as the board of supervisors thereof may direct, and counties as have no county jails are hereby exempted from the provisions of this act."

Mr. R. P. Bush moved to amend section 102 (printed) so as to read as follows:

"§ 102. The labor of prisoners of the third grade shall be directed solely to such exercise as shall tend to the preservation of health, or the manufacturing, without the aid of machinery, of such articles as are needed in the public institutions of the State, or such other manual labor as the Superintendent of State Prisons shall direct which shall not compete with free labor."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Bush to amend section 102, and it was determined in the affirmative.

{ AYES 71 }
{ NOES 41 }

Those who voted in the affirmative, were

Adams	Connelly	Greene	Little	Roesch
Andrus	Coon	Guenther	Longley	Ryan
Baker, A. B.	Cottrell	Haffner	Martin	Schaaff
Barton	Creamer	Hagan	McCarren	Sheehan
Bauer	Cronin	Hamilton	Miley	Smith, C.
Blake	Demarest	Hayes	Miller	Smith, T.
Blanchfield	Dinehart	Hitt	Moffitt	Strassburg
Blumenthal	Dinkelspiel	Hornidge	Mullaney	Sullivan
Brown	Duffy	Husted	Murray	Townsend
Brownell	Dunlap	Kelly	Newschafer	Upson
Bush, G. H.	Endres	Kelly	O'Neil	Walters
Bush, R. P.	Flaherty	Kent	Peck	Yates
Cheney	Gallup	Kerrigan	Rhodes	Young
Clarke, C. C.	Graham	Le Roy	Rice	Youngman
Comstock				

Those who voted in the negative, were

Acker	Donaldson	King	Mesick	Sperry
Ainsworth	Edwards	Lane	Moody	Stevens
Baker, A. H.	Fish	Larmon	Nixon	Tefft
Clark, J.	Fitts	Lewis	Pearsall	Towne
Crosby	Groat	Loder	Saunders	Van Gorder
Curtis	Hughes	Maynard	Savery	West
Davidson	Hunting	McKenzie	Saxton	Whipple
Decker	Kimball	Mead	Sheldon	Speaker
de Peyster				

Mr. Yates called for a division of the question.

The question recurring upon the motion of Mr. Yates to amend section 103,

Mr. Andrus moved to strike out the word "penitentiaries."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Yates to amend section 103, and it was determined in the negative.

{ AYES 44 }
{ NOES 66 }

Those who voted in the affirmative, were

Adams	Duffy	Hitt	McCarren	Schaaff
Bauer	Dunlap	Hornidge	McLaughlin	Sheehan
Blake	Endres	Kelly	Miley	Smith, T.
Blanchfield	Gallup	Kent	Mullaney	Strassburg
Brown	Graham	Kerrigan	Murray	Sullivan
Cottrell	Haffner	Le Roy	Newschafer	Townsend
Creamer	Hagan	Little	O'Neil	Yates
Cronin	Haggerty	Longley	Roesch	Youngman
Demarest	Hayes	Martin	Ryan	

Those who voted in the negative, were

Acker	Crosby	Gibbs	Maynard	Saxton
Ainsworth	Curtis	Greene	McKenzie	Sheldon
Andrus	Dante	Groat	McMaster	Smith, M. A.
Aspinall	Davidson	Hamilton	Mead	Sperry
Baker, A. B.	Decker	Hughes	Mesick	Stevens
Baker, A. H.	de Peyster	Hunting	Moffitt	Tefft
Barton	Dinehart	Husted	Moody	Towne
Blumenthal	Dinkelspiel	Kimball	Nixon	Van Gorder
Bush, G. H.	Donaldson	King	Pearsall	Walters
Bush, R. P.	Edwards	Lane	Peck	West
Clark, J.	Enz	Larmon	Rhodes	Whipple
Comstock	Fish	Lewis	Saunders	Young
Connelly	Fitts	Loder	Savery	Speaker
Coon				

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Yates to amend section 104, and it was determined in the negative.

Mr. Dunlap moved to amend section 104 (printed) by adding at the end thereof the words "but none of the products of the labors of prisoners shall be sold for less than ten per cent in excess of the cost of the materials used in the manufacture of such products."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Acker moved to amend section 104, by striking out all after the word "prisons" in line 902 down to the word "for" in line 904, and inserting "and reformatories, and agents and wardens thereof to obtain the full market rates."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Graham moved to amend by adding after the word "system," in line 906, the words "and all goods shall be stamped 'Prison-made goods.'"

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Husted moved to amend section 106 so as to read as follows:

"§ 106. The total number of prisoners employed at one time in manufacturing one kind of goods which are manufactured else-

where in the State shall not exceed 100 in number in all of the State prisons and shall not exceed ten per centum of the number of all persons within the State employed in manufacturing the same kind of goods, as shown by the last United States census or State enumeration."

Mr. Yates moved to amend the amendment of Mr. Husted by striking out after the word "prisons" the word "and" and inserting the words "penitentiaries and penal institutions of the State."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Yates, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Husted, as amended, and it was determined in the affirmative.

Mr. Savery moved to amend by adding at the end of section 106 the words "except in industries in which not to exceed fifty free laborers are employed."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hamilton moved to amend by adding at the end of section 106 (printed), as amended, the words "No labor-saving machinery, as distinguished from machinery necessary to manufacture, shall be used in such manufacturing, and no more machinery than is necessary to produce uniform and marketable goods."

Pending the question on the motion of Mr. Hamilton to amend,

Mr. Fish moved that when this House adjourns it adjourn to meet at 8 P. M. for the third reading of bills in regular order and the special orders.

Mr. Crosby moved to amend that this session be extended until the bill before the House was disposed of.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Fish, as amended, and it was determined in the affirmative.

{ AYES 61 }
{ NOES 41 }

Those who voted in the affirmative, were

Ainsworth	Creamer	Fitts	Little	Saunders
Andrus	Crosby	Flaherty	Loder	Saxton
Aspinall	Curtis	Gibbs	McKenzie	Sheldon
Baker, A. B.	Davidson	Groat	McMaster	Smith, M. A.
Baker, A. H.	Decker	Hagan	Mead	Smith, T.
Bauer	Demarest	Harwood	Mesick	Sperry
Blumenthal	de Peyster	Hornidge	Moody	Stevens
Brown	Dinehart	Husted	Murray	Towne
Brownell	Dunlap	Kimball	Nixon	Treadway
Clark, J.	Edwards	King	Pearsall	Van Gorder
Clarke, C. C.	Enz	Lane	Rhodes	Whipple
Coon	Fish	Lewis	Roesch	Yates
Cottrell				

Those who voted in the negative, were

Blake	Dunham	Hayes	McCarren	Schaaff
Blanchfield	Endres	Kelly	McLaughlin	Sheehan
Bush, G. H.	Gallup	Kent	Miley	Strassburg
Bush, R. P.	Graham	Kerrigan	Newschafer	Sullivan
Cheney	Greene	Larmon	O'Neil	Tefft
Connelly	Guenther	Longley	Peck	Townsend
Cronin	Haffner	Martin	Ryan	Upson
Dante	Haggerty	McCann	Savery	Young
Dinkelspiel				

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Hamilton to amend, and it was determined in the negative.

Mr. Yates moved to amend section 107 so as to read as follows:

"§ 107. The Superintendent of State Prisons and all other officers having in charge the management of the State prisons, penitentiaries, reformatories, houses of correction, or any of the penal institutions of the State or of the counties thereof, shall cause to be manufactured therein by the inmates thereof such articles as are commonly needed and used in such institutions for clothing and other supplies of such institutions, and the inmates thereof, and all articles manufactured in such institutions not required for use therein shall be furnished so far as practical, to the several alms-houses, asylums, penal or other charitable, reformatory and eleemosynary institutions supported wholly or in part by the State or by the counties and cities therein for the use of their inmates upon the requisition of the superintendent, trustees or managers thereof, upon the Superintendent of State Prisons. And no article so manufactured shall be purchased for the use of such inmates unless the same cannot be furnished upon such requisitions."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. R. P. Bush moved to amend section 109 so as to read as follows:

"§ 109. Every prisoner confined in the State prisons who shall become entitled to a diminution of his term of sentence by good conduct while in prison or confined in the New York State Reformatory at Elmira may, in the discretion of the agent and warden, or of the superintendent of said reformatory receive compensation from the current expense fund of the prison in which he is confined, and the prisoners in said reformatory from the current expenses thereof, compensation to be graded by the agent and warden of the prisons for the prisoners therein and the superintendent of the reformatory for the prisoners therein, for the time which he may work at an average of twenty per centum of the whole earnings of the prisoners in said prison or reformatory for such time, to range from fifteen to twenty-five per centum of such earnings. The difference in the rate of compensation shall be based both on the pecuniary value of the work performed, and also on the willingness, industry and good conduct of such prisoner; provided that whenever any prisoner shall forfeit his good time for misconduct or violation of the rules or regulations of the prison, he shall forfeit out of the compensation allowed under this

section fifty cents for each day of good time so forfeited, and provided that prisoners serving life sentences shall be entitled to the benefit of this section when their conduct is such as would entitle other prisoners to a diminution of sentence subject to forfeiture of good time for misconduct as herein provided. The agent and warden of each prison or the superintendent of said reformatory may institute and maintain a uniform system of fines to be imposed at his discretion in place of his other penalties and punishments, to be deducted from such compensation standing to the credit of any prisoner for misconduct by such prisoner."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hamilton moved to amend by adding at the end of section 105 (as printed) the words "The Superintendent of State Prisons shall annually cause to be procured, and transmit the same to the Legislature with his annual report, a statement showing in detail the amount and quantity of each of the various articles manufactured in the several penal institutions within this State under the public account or piece price plans which have been or were intended to be sold other than to public institutions."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Husted moved to amend by adding after the word "Comptroller," at end of line 1011, section 113 (printed), the words "The principal keeper in each of the State prisons of this State shall be known and designated as the deputy warden thereof, and shall, in the absence or disability of the agent and warden thereof, be invested with the authority of, and shall discharge all the duties pertaining to the office of such agent and warden."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Mead moved to amend by striking out section 114 and inserting the following:

"§ 114. The agents and wardens of the State prisons, with the approval of the Superintendent of State Prisons, and the managers or other authorities, by whatever name known, having charge of the penal institutions of the State, are authorized within the appropriations which may be placed at their disposal by the State, or by the county supporting such institutions, to procure and maintain all necessary machinery, tools, apparatus or accommodations needful for the purpose of carrying on and conducting such trades and industries as may be authorized under the provisions of this act. They shall purchase material in manner following: All purchases and contracts for the material to be used in the manufacture of goods in the State prisons and other penal institutions of the State, shall be made by advertising for sealed proposals (except for material needed for immediate use, which may be purchased in the open market in amount not to exceed \$200 worth at any one time). Whenever proposals for furnishing materials have been solicited, the parties responding to said solicitation shall be duly notified of the time and place of opening the bids, and may be present either in person or by attorney, and a record of each bid shall then and there be made. They shall adver-

tise for said proposals or bids daily for at least two weeks in one newspaper published in the city of Albany and two newspapers published in the city of New York, specifying the classes and quantity of material required, and furnish bidders, on demand, with printed schedules, giving a full description of all of the materials required, with date and place of delivery and all other necessary information. The person offering to furnish said materials upon terms most advantageous to the State, and who will give satisfactory security for the performance thereof (in case immediate delivery is not required), shall receive the contract to furnish said material, unless the Superintendent of State Prisons shall deem it to the best interests of the State to decline all proposals and advertise anew."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Mead moved to further amend, as follows:

Change, in line 1019, the word "may" to the word "shall;" line 1020, after the word "Comptroller" strike out all down to and including the word "prisons" in line 1022, and insert the words "as directed in section 114," so that it will read: "The agent and warden of each prison shall make purchases of the articles included in the estimates so certified to the comptroller, as directed in section, 114."

Change section 42 of title 2 to section 41, and number remaining sections to correspond.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Husted moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 52 }
{ NOES 53 }

Those who voted in the affirmative, were

Acker	Connolly	Fish	McKenzie	Saxton
Ainsworth	Cottrell	Fitts	McMaster	Sheldon
Aspinall	Crosby	Gibbs	Mesick	Smith, M. A.
Baker, A. B.	Curtis	Greene	Moffitt	Sperry
Baker, A. H.	Davidson	Husted	Moody	Stevens
Barton	Decker	Kimball	Nixon	Tefft
Blumenthal	de Peyster	King	Pearsall	Towne
Brownell	Dinehart	Larmon	Rhodes	Van Gorder
Bush, G. H.	Dinkelspiel	Lewis	Saunders	West
Bush, R. P.	Edwards	Loder	Savery	Speaker
Comstock	Enz			

Those who voted in the negative, were

Andrus	Dunham	Hunting	Miley	Sheehan
Bauer	Dunlap	Kelly	Miller	Smith, C.

Blake	Endres	Kent	Murray	Smith, T.
Blanchfield	Gallup	Kerrigan	Newschafer	Strassburg
Brown	Graham	Le Roy	O'Neil	Treadway
Cheney	Guenther	Little	Peck	Upson
Coon	Haffner	Longley	Rice	Whipple
Creamer	Haggerty	Martin	Roesch	Yates
Cronin	Hayes	McCann	Ryan	Yetman
Demarest	Hitt	McCarren	Schaaff	Youngman
Duffy	Hornidge	McLaughlin		

Mr. R. P. Bush moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The hour of 2 o'clock having arrived, and the business of the House having been finished, the House took a recess until 8 o'clock p. m.

EIGHT O'CLOCK P. M.

The House again met.

The bill (Int. No. 1212) entitled "An act to amend chapter 106 of the Laws of 1882, entitled 'An act to amend chapter 200 of the Laws of 1835, entitled An act to incorporate the village of Angelica and the several amendments thereto, as amended by chapter 89 of the Laws of 1887, relating to the village assessors,'" having been announced for a third reading,

On motion of Mr. Cottrell, and by unanimous consent, the same was amended as follows:

Section 2, line 8, after the word "collector" insert the words "and street commissioner."

Strike out all of section 3.

Section 4, line 12, strike out the words "of said village" and insert in lieu thereof the word "thereof," and add at the end of same section the words "who shall also act henceforth as assessors of said village."

Change "§ 4" to "§ 3," "§ 5" to "§ 4" and "§ 6" to "§ 5."

Amend the title by striking out the words "street commissioner and."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Gallup	Lewis	Rhodes
Adams	Creamer	Gibbs	Little	Roesch
Ainsworth	Cronin	Graham	Longley	Ryan
Aspinall	Curtis	Groat	Martin	Saunders

Baker, A. B.	Davidson	Guenther	Maynard	Savery
Baker, A. H.	Decker	Haffner	McCarren	Saxton
Barton	Demarest	Hagan	McKenzie	Smith, T.
Bauer	Dinehart	Haggerty	McMaster	Stevens
Blake	Dinkelspiel	Hamilton	Mead	Strassburg
Blanchfield	Duffy	Harwood	Miley	Sullivan
Blumenthal	Dunham	Hornidge	Moody	Upson
Bush, G. H.	Edwards	Huntting	Mullaney	Van Gorder
Cheney	Enz	Kelly	Murray	West
Comstock	Fish	Kent	Newschafer	Whipple
Connelly	Fitts	Lane	Pearsall	Yetman
Coon	Flaherty	Larmon		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 228) entitled "An act to provide for the construction and maintenance of an exterior street along a portion of the East river in the city of New York" (Rec. No. 91), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Guenther	Little	Roesch
Adams	Creamer	Haffner	Longley	Ryan
Ainsworth	Curtis	Hagan	Martin	Saunders
Aspinall	Davidson	Haggerty	Maynard	Savery
Baker, A. B.	Decker	Hamilton	McCann	Saxton
Baker, A. H.	Demarest	Harwood	McCarren	Sheehan
Barton	Dinehart	Hayes	McKenzie	Smith, T.
Bauer	Dinkelspiel	Hornidge	McMaster	Sperry
Blake	Duffy	Huntting	Mead	Stevens
Blanchfield	Edwards	Kelly	Miley	Strassburg
Blumenthal	Fish	Kent	Miller	Townsend
Brown	Fitts	Kerrigan	Moffitt	Upson
Bush, G. H.	Flaherty	King	Moody	Van Gorder
Cheney	Gallup	Lane	Murray	West
Comstock	Gibbs	Larmon	Newschafer	Whipple
Connelly	Graham	Le Roy	Pearsall	Yetman
Coon	Groat	Lewis	Rhodes	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The bill (No. 1162) entitled "An act to amend section 3 of chapter 529 of the Laws of 1884, entitled 'An act to make provision for a public park in the Seventh ward in the city of New York, including therein all necessary alterations of the map or plan of said city, the

acquisition of land for such park, and the payment of all expenses connected therewith from moneys to be raised by bonds, taxes and assessments for local improvements," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Davidson	Haggerty	Martin	Roesch
Baker, A. B.	Decker	Hamilton	Maynard	Ryan
Baker, A. H.	Demarest	Harwood	McCann	Saunders
Barton	Dinkelspiel	Hayes	McCarren	Savery
Bauer	Duffy	Huntting	McMaster	Saxton
Blake	Edwards	Kelly	Mead	Sheehan
Blanchfield	Enz	Kent	Mesick	Smith, T.
Blumenthal	Fitts	Kerrigan	Miley	Stevens
Brown	Flaherty	King	Miller	Strassburg
Bush, G. H.	Gibbs	Lane	Moffitt	Sullivan
Cheney	Graham	Larmon	Moody	Towne
Comstock	Greene	Le Roy	Murray	Townsend
Coon	Groat	Lewis	Newschafer	Van Gorder
Cottrell	Guenther	Little	Nixon	West
Creamer	Haffner	Loder	Pearsall	Whipple
Curtis	Hagan	Longley	Rhodes	Yetman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (Int. No. 1218) entitled "An act to amend chapter 65 of the Laws of 1871, entitled 'An act to revise and consolidate the laws in relation to the village of Geneva, in the county of Ontario, and the acts amendatory thereof,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Groat	Mase	Ryan
Adams	Creamer	Guenther	Maynard	Saunders
Ainsworth	Curtis	Hamilton	McCann	Savery
Aspinall	Davidson	Harwood	McCarren	Saxton
Baker, A. B.	Decker	Hayes	McKenzie	Sheehan
Baker, A. H.	Demarest	Huntting	Mead	Smith, T.
Barton	Dinehart	Kent	Mesick	Sperry
Bauer	Dinkelspiel	Kerrigan	Miley	Stevens

Blake	Duffy	Lane	Miller	Strassburg
Blanchfield	Edwards	Larmon	Moffitt	Townsend
Blumenthal	Enz	Le Roy	Moody	Upson
Brown	Fitts	Lewis	Murray	Van Gorder
Bush, R. P.	Flaherty	Little	Nixon	West
Cheney	Gallup	Loder	Rhodes	Whipple
Comstock	Gibbs	Longley	Rice	Yetman
Coon	Graham	Martin	Roesch	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1151) entitled "An act to ratify and confirm the acts of the president and trustees of the village of Tivoli in certain cases," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Creamer	Guenther	Martin	Saunders
Ainsworth	Decker	Haffner	Maynard	Savery
Aspinall	Demarest	Hamilton	McCarren	Saxton
Baker, A. B.	Dinehart	Harwood	Mead	Sheehan
Baker, A. H.	Dinkelspiel	Hornidge	Mesick	Sheldon
Barton	Duffy	Hunting	Miley	Smith, T.
Bauer	Edwards	Kent	Miller	Sperry
Blanchfield	Enz	Kerrigan	Moffitt	Stevens
Blumenthal	Fish	King	Moody	Strassburg
Brown	Fitts	Lane	Murray	Sullivan
Bush, R. P.	Flaherty	Larmon	Newschafer	Townsend
Cheney	Gallup	Le Roy	Nixon	Upson
Comstock	Gibbs	Lewis	Pearsall	Van Gorder
Connelly	Graham	Little	Peck	West
Coon	Greene	Loder	Roesch	Whipple
Cottrell	Groat	Longley	Ryan	Yetman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 924) entitled "An act making an appropriation for the completion of the bridge and the approaches thereto across the Champlain canal at the east end of Ship street, in the city of Cohoes," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Graham	Longley	Saunders
Adams	Creamer	Greene	Martin	Savery
Aspinall	Cronin	Groat	Maynard	Saxton
Baker, A. B.	Curtis	Guenther	McCarren	Sheehan
Baker, A. H.	Davidson	Haffner	Mead	Sheldon
Barton	Decker	Haggerty	Mesick	Smith, T.
Bauer	Demarest	Hamilton	Miley	Sperry
Blanchfield	Dinehart	Hornidge	Miller	Stevens
Blumenthal	Dinkelspiel	Hunting	Moody	Strassburg
Brown	Duffy	Kelly	Murray	Towne
Brownell	Edwards	Kent	Newschafer	Townsend
Bush, G. H.	Enz	Kerrigan	Pearsall	Upson
Bush, R. P.	Fitts	Le Roy	Rhodes	Van Gorder
Cheney	Flaherty	Lewis	Roesch	West
Comstock	Gallup	Little	Ryan	Whipple
Connelly	Gibbs	Loder		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 667) entitled "An act to amend section 291 of the Penal Code relating to the commitment and protection of children," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 75 }
{ NOES 18 }

Those who voted in the affirmative, were

Barton	Dinkelspiel	Hayes	McCarren	Ryan
Bauer	Duffy	Hunting	McKenzie	Saunders
Blake	Dunham	Kelly	Mead	Savery
Blanchfield	Fish	Kent	Mesick	Sheehan
Blumenthal	Flaherty	Kerrigan	Miley	Sheldon
Bush, G. H.	Gallup	King	Miller	Smith, T.
Bush, R. P.	Gibbs	Lane	Moffit	Stevens
Cheney	Greene	Larmon	Moody	Strassburg
Clark, J.	Groat	Le Roy	Murray	Towne
Comstock	Guenther	Lewis	Newschafer	Treadway
Connelly	Haffner	Little	Nixon	Upson
Creamer	Hagan	Martin	Pearsall	Van Gorder
Cronin	Haggerty	Mase	Peck	West
Demarest	Hamilton	Maynard	Rice	Whipple
Dinehart	Harwood	McCann	Roesch	Yates

Those who voted in the negative, were

Acker	Baker, A. B.	Cottrell	Enz	McMaster
Adams	Baker, A. H.	Curtis	Graham	Sperry
Ainsworth	Brown	Davidson	Longley	Townsend
Aspinall	Coon	Decker		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 920) entitled "An act to permit the city of Auburn to raise money to build a bridge and to supply deficiency caused by the failure of the First National bank in said city," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Gibbs	Lewis	Rice
Adams	Coon	Graham	Little	Roesch
Ainsworth	Cottrell	Greene	Loder	Saunders
Aspinall	Creamer	Groat	Longley	Savery
Baker, A. B.	Curtis	Guenther	Martin	Sheldon
Baker, A. H.	Davidson	Haggerty	Mase	Smith, T.
Barton	Decker	Hamilton	Maynard	Sperry
Bauer	Demarest	Harwood	McCann	Stevens
Blake	Dinehart	Hornidge	McCarren	Towne
Blanchfield	Dinkelspiel	Huntting	Mesick	Townsend
Blumenthal	Duffy	Kelly	Miley	Treadway
Brown	Dunham	Kent	Moffitt	Upson
Brownell	Edwards	Kerrigan	Moody	Van Gorder
Bush, G. H.	Enz	King	Murray	West
Bush, R. P.	Fitts	Lane	Nixon	Whipple
Clark, J.	Flaherty	Larmon	Pearsall	Yates
Comstock	Gallup	Le Roy		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (Rec. No. 300) entitled "An act to amend chapter 179 of the Laws of 1886, entitled 'An act to provide a system of sewerage in the village of Fulton,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Graham	Mase	Ryan
Adams	Creamer	Groat	Maynard	Saunders
Ainsworth	Curtis	Guenther	McCann	Savery
Baker, A. B.	Davidson	Haffner	McCarren	Sheehan
Baker, A. H.	Decker	Hamilton	McKenzie	Sheldon
Barton	Demarest	Harwood	Mead	Smith, T.

Bauer	Dinehart	Hayes	Mesick	Stevens
Blanchfield	Dinkelspiel	Hornidge	Miller	Strassburg
Blumenthal	Duffy	Hunting	Moffitt	Towne
Brownell	Edwards	Kerrigan	Moody	Townsend
Bush, G. H.	Enz	Lane	Murray	Treadway
Cheney	Fish	Lewis	Newschafer	Van Gorder
Clark, J.	Fitts	Little	Nixon	West
Comstock	Flaherty	Loder	Pearsall	Whipple
Connelly	Gallup	Longley	Rice	Yates
Coon	Gibbs	Martin	Roesch	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 445) entitled "An act to provide for the erection of a State armory at the village of Glens Falls, in the county of Warren, and making an appropriation therefor" (Rec. No. 233), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 3 }

Those who voted in the affirmative, were

Adams	Davidson	Harwood	McCann	Saunders
Baker, A. B.	Decker	Hayes	McCarren	Savery
Baker, A. H.	Demarest	Hornidge	McKenzie	Saxton
Barton	Dinehart	Hunting	Mead	Sheehan
Blake	Duffy	Kelly	Mesick	Sheldon
Blanchfield	Edwards	Kent	Miley	Smith, T.
Brown	Fish	Kerrigan	Miller	Stevens
Brownell	Fitts	Lane	Moffitt	Strassburg
Bush, R. P.	Gallup	Larmon	Moody	Towne
Cheney	Gibbs	Le Roy	Murray	Townsend
Clark, J.	Graham	Lewis	Newschafer	Treadway
Comstock	Greene	Little	Nixon	Upson
Connelly	Guenther	Loder	Rhodes	Van Gorder
Creamer	Haffner	Longley	Rice	West
Cronin	Haggerty	Martin	Roesch	Whipple
Curtis	Hamilton	Mase	Ryan	Yates

Those who voted in the negative, were

Acker	Groat	King
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Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 548) entitled "An act to secure to children the benefits of an elementary education, and making an appropriation therefor," having been announced for a third reading,

Mr. Coon moved to amend as follows:

Section 1, line 4, after the word "school," insert the words "or some school other than a public school, in which at least the common school

branches of reading, spelling, writing, arithmetic, grammar and geography are taught in the English language, or cause such child to be taught as provided in section 3 of this act."

At the end of section 1, and as a part thereof, add the words "which fourteen weeks shall be consecutive, excepting holidays and authorized vacations, but such holidays and vacations shall not constitute a part of said fourteen weeks."

Section 17, after the word "act" at the end of line 7, insert the words "except that boards of education in cities and villages may fix an annual salary in lieu of such fees for said attendance officers, and said public school authorities are hereby authorized and directed to raise the money for such salaries and fees, in the same manner that other moneys are raised for school purposes."

Strike out the whole of section 21 and insert in lieu thereof the following:

"§ 21. On or before the first day of September of the year 1895, cities of 250,000 inhabitants and over, shall provide adequate and suitable accommodations for all pupils of school age residing within the limits of such cities who may desire or be required to attend such schools, and all other cities and all school districts shall make like provision on or before the first day of September of the year 1892."

On motion of Mr. Coon, said bill was laid aside until to-morrow.

The bill (No. 1069) entitled "An act to provide for, and the establishment of, dairy schools for the instruction of pupils in the science and art of dairy husbandry, and making an appropriation therefor," having been announced for a third reading,

On motion of Mr. Cottrell, and by unanimous consent, the same was amended as follows:

Section 1, line 2, after the word "establish" strike out the word "two" and insert the letter "a," and strike out the word "schools" and insert the word "school."

Same section, line 3, after the word "dollars" strike out the word "each."

Same section, line 6, strike out the word "schools" and insert the word "school."

Same section, line 11, after the word "farm" strike out the words "or farms."

Same section, line 12, after the word "farm" strike out the words "or farms."

Same section, lines 20 and 21, after the word "appoint" strike out the words "an assistant dairy commissioner" and insert the words "a superintendent."

Same section, line 24, strike out the word "farms" and insert the word "farm," strike out the word "dairies" and insert the word "dairy," and strike out the word "schools" and insert the word "school."

Same section, line 25, after the word "such" strike out the words "superintendents and."

Same section, line 28, after the word "of" strike out the words "each assistant," and change the word "teacher" to "teachers."

Same section, line 32, strike out the word "farms" and insert the word "farm," strike out the word "dairies" and insert the word

"dairy," and strike out the word "schools" and insert the word "school."

Same section, line 33, after the word "in" strike out the word "each" and insert the word "such."

Section 2, line 1, after the word "of" strike out the word "ten" and insert the word "five."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Fitts	Lewis	Rice
Adams	Coon	Flaherty	Little	Roesch
Aspinall	Cottrell	Gallup	Loder	Ryan
Baker, A. B.	Creamer	Gibbs	Longley	Saunders
Baker, A. H.	Cronin	Graham	Martin	Savery
Barton	Curtis	Greene	Maynard	Sheldon
Bauer	Davidson	Guenther	McCann	Smith, T.
Blake	Decker	Haffner	McCarren	Sperry
Blanchfield	Demarest	Haggerty	McKenzie	Stevens
Blumenthal	Dinehart	Hamilton	McMaster	Towne
Brown	Dinkelspiel	Harwood	Mesick	Treadway
Brownell	Duffy	Hayes	Miley	Van Gorder
Bush, G. H.	Dunham	Kent	Moffitt	West
Bush, R. P.	Edwards	Kerrigan	Nixon	Whipple
Carson	Enz	Lane	Pearsall	Yates
Cheney	Fish	Larmon	Rhodes	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (Rec. No. 149) entitled "An act to amend chapter 392 of the Laws of 1887, entitled 'An act to make the office of county clerk of St. Lawrence county a salaried office, and regulating the management of said office,' as amended by chapter 79 of the Laws of 1888," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Clark, J.	Fitts	Little	Savery
Adams	Comstock	Flaherty	Loder	Sheldon
Ainsworth	Cottrell	Gallup	Longley	Smith, T.
Aspinall	Creamer	Gibbs	Maynard	Sperry

Baker, A. B.	Cronin	Graham	McCann	Stevens
Baker, A. H.	Curtis	Greene	McCarren	Strassburg
Barton	Davidson	Groat	McMaster	Tefft
Blake	Decker	Guenther	Mesick	Townsend
Blanchfield	Demarest	Haffner	Miley	Treadway
Blumenthal	Dinehart	Haggerty	Moffitt	Upson
Brown	Dinkelspiel	Hamilton	Murray	Van Gorder
Brownell	Duffy	Hayes	Nixon	West
Bush, G. H.	Dunham	Huntting	Pearsall	Whipple
Bush, R. P.	Edwards	Kent	Rice	Yates
Carson	Enz	Lane	Roesch	Yetman
Cheney	Fish	Larmon	Saunders	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The Senate bill (No. 398) entitled "An act to authorize and provide for the erection by the city of New York of a monument in any of the public parks, squares or places belonging to said city, in honor and memory of John Ericsson, deceased" (Rec. No. 166), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Flaherty	Lane	Rice
Adams	Connelly	Gallup	Larmon	Saunders
Ainsworth	Coon	Gibbs	Lewis	Savery
Baker, A. B.	Cottrell	Graham	Little	Sheldon
Baker, A. H.	Creamer	Groat	Loder	Smith, T.
Barton	Cronin	Guenther	Longley	Stevens
Blake	Curtis	Haffner	Martin	Strassburg
Blanchfield	Davidson	Haggerty	McCann	Townsend
Blumenthal	Decker	Hamilton	McCarren	Treadway
Brown	Demarest	Harwood	McKenzie	Upson
Brownell	Dinehart	Hayes	McMaster	Van Gorder
Bush, G. H.	Dinkelspiel	Huntting	Mesick	West
Bush, R. P.	Duffy	Kelly	Newschafer	Whipple
Carson	Edwards	Kent	Pearsall	Yates
Cheney	Enz	Kerrigan	Peck	Yetman
Clark, J.	Fish	King	Rhodes	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 307) entitled "An act to amend section 999 of the Code of Civil Procedure, relating to motions for new trial upon judge's minutes" (Rec. No. 139), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Comstock	Gibbs	Loder	Saunders
Ainsworth	Connolly	Graham	Longley	Savery
Aspinall	Cottrell	Groat	Martin	Sheldon
Baker, A. B.	Creamer	Guenther	Maynard	Smith, T.
Baker, A. H.	Cronin	Haffner	McCann	Sperry
Barton	Curtis	Haggerty	McCarren	Stevens
Blake	Davidson	Hamilton	McKenzie	Strassburg
Blanchfield	Decker	Hayes	McMaster	Townsend
Blumenthal	Demarest	Hornidge	Mesick	Treadway
Brown	Dinehart	Hunting	Miley	Upton
Brownell	Dinkelspiel	Kent	Moffitt	Van Gorder
Bush, G. H.	Duffy	Kerrigan	Murray	West
Bush, R. P.	Edwards	Lane	Pearsall	Whipple
Carson	Fish	Larmon	Rice	Yates
Cheney	Fitts	Lewis	Roesch	Yetman
Clark, J.	Gallup	Little		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 284) entitled "An act to amend sections 2838 and 2840 of the Code of Civil Procedure, relating to applications for ancillary letters to foreign guardian, and the effect of such letters" (Rec. No. 150), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Aspinall	Cottrell	Gibbs	Longley	Ryan
Baker, A. B.	Creamer	Graham	Martin	Saunders
Baker, A. H.	Cronin	Groat	McCann	Savery
Barton	Curtis	Guenther	McCarren	Sheldon
Blake	Davidson	Haffner	McMaster	Smith, T.
Blanchfield	Decker	Haggerty	Mesick	Sperry
Blumenthal	Demarest	Hamilton	Miley	Stevens
Brown	Dinehart	Hayes	Moffitt	Strassburg
Brownell	Dinkelspiel	Hunting	Moody	Towne
Bush, G. H.	Duffy	Kent	Murray	Townsend
Bush, R. P.	Dunham	Kerrigan	Newschafer	Van Gorder
Carson	Edwards	Lane	Pearsall	West
Cheney	Enz	Larmon	Peck	Whipple
Comstock	Fish	Lewis	Rhodes	Yates
Connolly	Fitts	Little	Rice	Yetman
Coon	Flaherty	Loder	Roesch	Speaker

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 49) entitled "An act to amend section 794 of the Code of Civil Procedure, relating to preferred and passed causes" (Rec. No. 9), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Aspinall	Coon	Gibbs	Little	Rhodes
Baker, A. B.	Creamer	Graham	Loder	Roesch
Baker, A. H.	Cronin	Groat	Longley	Ryan
Barton	Curtis	Guenther	Martin	Saunders
Blake	Davidson	Haffner	Maynard	Savery
Blanchfield	Decker	Haggerty	McCann	Sheldon
Blumenthal	Demarest	Hamilton	McCarren	Smith, T.
Brown	Dinehart	Harwood	McKenzie	Strassburg
Brownell	Dinkelspiel	Hunting	Mesick	Townsend
Bush, G. H.	Duffy	Kelly	Miller	Treadway
Bush, R. P.	Edwards	Kent	Moffitt	Van Gorder
Carson	Enz	Kerrigan	Moody	West
Cheney	Fish	King	Murray	Whipple
Clark, J.	Fitts	Lane	Newschafer	Yates
Comstock	Flaherty	Larmon	Nixon	Yetman
Connelly	Gallup	Lewis	Pearsall	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 844) entitled "An act to amend chapter 368 of the Laws of 1865, entitled 'An act for the incorporation of societies or clubs for certain social and recreative purposes,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 77 }
{ NOES 2 }

Those who voted in the affirmative, were

Aspinall	Creamer	Greene	Loder	Roesch
Baker, A. B.	Cronin	Guenther	Longley	Ryan
Baker, A. H.	Curtis	Haffner	Martin	Saunders
Barton	Davidson	Haggerty	Maynard	Savery
Blake	Decker	Hamilton	McCann	Sheldon
Blanchfield	Demarest	Harwood	McCarren	Smith, T.
Blumenthal	Dinehart	Hayes	McKenzie	Sperry
Brown	Dinkelspiel	Hunting	McMaster	Strassburg

Brownell	Duffy	Kelly	Miley	Townsend
Bush, G. H.	Edwards	Kent	Moffitt	Treadway
Bush, R. P.	Enz	Kerrigan	Moody	Upson
Carson	Fish	King	Murray	Van Gorder
Cheney	Fitts	Lane	Pearsall	West
Clark, J.	Flaherty	Larmon	Rhodes	Whipple
Connelly	Gibbs	Little	Rice	Yates
Coon	Graham			

Those who voted in the negative, were

Comstock Gallup

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Comstock moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

The privileges of the floor were extended to Hons. Albert M. Patterson, E. O. Farrar, H. H. Pierce, Michael Brennan and Mr. Dyer.

The bill (No. 845) entitled "An act to amend section 84 of chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction, relating to notices by tax collector,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Cronin	Haffner	McCann	Saunders
Baker, A. B.	Curtis	Haggerty	McCarren	Savery
Baker, A. H.	Davidson	Harwood	McKenzie	Sheldon
Barton	Decker	Hunting	Mesick	Smith, T.
Blake	Demarest	Kelly	Miley	Sperry
Blanchfield	Dinehart	Kent	Miller	Stevens
Blumenthal	Dinkelspiel	Kerrigan	Moffitt	Strassburg
Brown	Duffy	King	Moody	Towne
Brownell	Enz	Lane	Murray	Townsend
Bush, R. P.	Fitts	Larmon	Newschafer	Treadway
Carson	Flaherty	Lewis	Nixon	Upson
Cheney	Gallup	Little	Pearsall	Van Gorder
Clark, J.	Gibbs	Loder	Rhodes	West
Comstock	Graham	Longley	Rice	Whipple
Connelly	Greene	Martin	Roesch	Yates
Coon	Groat	Maynard	Ryan	Yetman
Creamer	Guenther			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 539) entitled "An act conferring jurisdiction

upon the Board of Claims to hear and determine certain claims against the State, and to make awards" (Rec. No. 282), was read the third time.

Mr. Speaker, put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 77 }
{ NOES 1 }

Those who voted in the affirmative, were

Adams	Connelly	Graham	Loder	Roesch
Ainsworth	Coon	Greene	Longley	Ryan
Andrus	Cottrell	Groat	Martin	Saunders
Baker, A. B.	Creamer	Guenther	McCann	Savery
Baker, A. H.	Cronin	Haggerty	McCarren	Sheldon
Barton	Curtis	Hamilton	McKenzie	Smith, T.
Blake	Davidson	Hayes	McMaster	Sperry
Blanchfield	Decker	Hunting	Moffitt	Stevens
Blumenthal	Demarest	Kelly	Moody	Townsend
Brown	Dinehart	Kent	Murray	Treadway
Brownell	Dinkelspiel	Kerrigan	Newschafer	Upton
Bush, R. P.	Duffy	Lane	Nixon	West
Carson	Enz	Larmon	Pearsall	Whippie
Cheney	Fitts	Lewis	Rhodes	Yates
Clark, J.	Gallup	Little	Rice	Yetman
Comstock	Gibbs			

For the negative,

Bush, G. H.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The "Concurrent resolution proposing an amendment to the Constitution by striking out section 7 of article 7" (No. 369), was read.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 69 }
{ NOES 4 }

Those who voted in the affirmative, were

Adams	Cottrell	Greene	Martin	Roesch
Ainsworth	Cronin	Guenther	Maynard	Ryan
Andrus	Davidson	Haffner	McCarren	Saunders
Baker, A. B.	Decker	Hamilton	McKenzie	Savery
Barton	Demarest	Harwood	McMaster	Sheldon
Blanchfield	Dinehart	Hughes	Mesick	Sperry
Blumenthal	Dinkelspiel	Kelly	Moffitt	Stevens
Brown	Dunham	Kent	Moody	Townsend

Brownell	Edwards	King	Murray	Treadway
Bush, R. P.	Enz	Lane	Newschafer	Van Gorder
Carson	Fish	Lewis	Nixon	West
Clark, J.	Fitts	Little	Pearsall	Whipple
Comstock	Gibbs	Loder	Rhodes	Yetman
Connelly	Graham	Longley	Rice	

For the negative,

Cheney Gallup Smith, T. Upson

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

On motion of Mr. Fish the House adjourned.

THURSDAY, APRIL 25, 1889.

The House met pursuant to adjournment.

Prayer by Rev. D. Luther Roth.

On motion of Mr. Haggerty, the journal of yesterday was approved without being read.

Mr. Haggerty presented the following communication:

To the Honorable, the Assembly:

There are certain bills now on the order of third reading which provide for needed municipal improvements in the city of Brooklyn. As they now read, they are approved by all of the citizens of that city irrespective of parties, and it is therefore the desire of the undersigned that they should be passed by this House at an early day that they may be sent to the Senate.

The undersigned, representing the entire delegation from the city of Brooklyn, unite in requesting that Assembly bills Nos. 1109, third reading No. 849, of Mr. Sperry, for auxiliary sewers; 1111, third reading No. 852, of Mr. McCann, for the purchase of sites and the erection of buildings; 1110, third reading No. 850, of Mr. McCarren, for local improvements, and 1112, third reading No. 853, of Mr. Longley, for the purchase of sites and the erection of buildings for public schools, be made a special order for to-day and be ordered to be read at that time.

JOSEPH P. ASPINALL.
ROBERT H. MILEY.
ADAM SCHAAFF.
JOHN B. LONGLEY.
WM. BLANCHFIELD.
PETER K. McCANN.
JOHN KELLY.
P. H. McCARREN.
WM. H. McLAUGHLIN.
JAMES P. GRAHAM.
FRANK SPERRY.
HENRY F. HAGGERTY.

By unanimous consent,

Mr. Speaker put the question whether the House would grant said request, and it was determined in the affirmative.

The Senate returned the bill entitled "An act to authorize villages of the State of New York to establish water rates and collect the same" (No. 477), with a message that they have concurred in the passage of the same, with the following amendments.

Add as section 2 the following:

"§ 2. The provision of this act shall not apply to the counties of Kings, Queens, Richmond and Suffolk."

Change section "2," engrossed bill, to section "3."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Creamer	Graham	King	Pearsall
Adams	Cronin	Greene	Lane	Peck
Ainsworth	Curtis	Groat	Larmon	Rhodes
Andrus	Decker	Guenther	Lewis	Rice
Baker, A. B.	Demarest	Haffner	Little	Roesch
Baker, A. H.	Dinehart	Hagan	Loder	Saunders
Bauer	Dinkelspiel	Haggerty	Longley	Schaaff
Blake	Donaldson	Hamilton	Martin	Smith, T.
Blanchfield	Dunlap	Hayes	McAdam	Stevens
Blumenthal	Endres	Hughes	McCann	Strassburg
Brown	Enz	Hunting	McCarren	Upson
Bush, R. P.	Fish	Husted	McKenzie	Walters
Carson	Fitts	Kelly	McMaster	West
Cheney	Flaherty	Kent	Mesick	Whipple
Comstock	Gallup	Kerrigan	Miley	Youngman
Connelly	Gibbs	Kimball	Nixon	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act to amend section 2 of chapter 58, Laws of 1858," entitled "An act in relation to the Troy water-works" (No. 1099), with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, line 11, after the word "uses" insert the word "of."

Section 2, line 7, strike out the words "as rates."

Amend the title so as to read as follows:

"An act to amend an act in relation to the Troy water-works, passed March 9, 1855."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
 { NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Groat	Martin	Ryan
Ainsworth	Davidson	Guenther	McAdam	Saunders
Andrus	Decker	Haffner	McCann	Savery
Baker, A. B.	Demarest	Hagan	McCarren	Saxton
Baker, A. H.	Dinehart	Haggerty	McKenzie	Smith, T.
Bauer	Donaldson	Hughes	McMaster	Stevens
Blake	Dunham	Huntting	Mead	Strassburg
Blanchfield	Dunlap	Husted	Mesick	Sullivan
Bush, R. P.	Edwards	Kelly	Miley	Upton
Cheney	Endres	Kent	Moody	Van Gorder
Comstock	Enz	Kerrigan	Nixon	Walters
Connelly	Fish	Kimball	O'Neil	West
Coon	Fitts	Lane	Pearsall	Whipple
Cottrell	Flaherty	Lewis	Peck	Yetman
Creamer	Gibbs	Little	Rice	Young
Cronin	Graham	Longley	Roesch	Youngman
Crosby	Greene			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act to authorize the purchase and distribution of the statistical publication showing the mortuary losses of each New York regiment during the war of the rebellion, and making an appropriation therefor" (No. 815), with a message that they have concurred in the passage of the same, with the following amendment:

Section 2, line 2, after the word "distribution" insert the words "six hundred and fifty thereof to the several posts of the Grand Army of the Republic in this State, and one hundred thereof as he may determine."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
 { NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Hagan	McMaster	Saxton
Ainsworth	Demarest	Haggerty	Mead	Smith, M. A.
Andrus	Dinehart	Harwood	Mesick	Smith, T.
Baker, A. B.	Dinkelspiel	Hughes	Miley	Stevens
Barton	Donaldson	Huntting	Miller	Strassburg
Bauer	Duffy	Kelly	Moffitt	Sullivan
Blake	Dunlap	Kerrigan	Moody	Towne
Blanchfield	Edwards	Kimball	Nixon	Upton
Brown	Endres	Lewis	O'Neil	Van Gorder

Carson	Enz	Little	Pearsall	Walters
Comstock	Fish	Loder	Peck	West
Cottrell	Fitts	Longley	Rice	Whipple
Creamer	Flaherty	Martin	Roesch	Yetman
Crosby	Graham	McAdam	Ryan	Young
Curtis	Guenther	McCarren	Saunders	Youngman
Davidson	Haffner	McKenzie	Savery	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act to amend chapter 617 of the Laws of 1868, entitled 'An act to incorporate the Round Lake Camp Meeting Association of the Methodist Episcopal church of the Troy Conference,'" with a message that they have concurred in the passage of the same with the following amendments:

Strike out sections 1, 2, 3, 4, 5, 7, 9, 10, and 11 thereof, and insert the following:

SECTION 1. Section 1 of chapter 227 of the Laws of 1873, entitled "An act to amend an act entitled 'An act to incorporate the Round Lake Camp Meeting Association of the Methodist Episcopal Church of the Troy Conference,' passed May 5, 1868," is hereby amended to read as follows:

§ 1. Section 7 of chapter 617 of the Laws of 1868, entitled "An act to incorporate the Round Lake Camp Meeting Association of the Methodist Episcopal Church of the Troy Conference," is hereby amended to read as follows:

§ 7. The Round Lake Association, a corporation formerly known as "The Round Lake Camp Meeting Association of the Methodist Episcopal Church of the Troy Conference," the name of which corporation has been changed to "The Round Lake Association," by an order of the Supreme Court, shall have power to sell and convey lots to scrip holders and to receive the scrip held by them in exchange and payment therefor and upon such terms as the trustees of said association may prescribe.

Make section 6 of said bill read section 2 thereof, and amend the same by adding thereto a new section to be known as section 8 thereof, and to read as follows:

§ 8. Chapter 617 of the Laws of 1868, is hereby amended by adding thereto a new section to be known as section 9 thereof, and to read as follows:

§ 9. All persons residing upon the lands owned or controlled by said association, and entitled to vote at town meetings in the said town of Malta, may assemble on the second Wednesday of May in the year 1889, at Alumni Hall in said town at 12 o'clock, noon, and upon the second Wednesday of May in every second year thereafter at such place as shall be designated by the last previous meeting, and organize by choosing a chairman and clerk and three inspectors of the election to be thereafter held as hereafter provided. The said inspectors so chosen shall qualify in the same manner as inspectors of election at town meetings, and thereupon the residents upon such lands, so qualified as aforesaid, may proceed to elect a police justice. The said inspectors of election, in the exercise of the powers hereby conferred upon them, shall be subject to all the duties and liabilities of

inspectors of election at town meetings, and the said election shall be conducted in all respects as elections for town officers are conducted at town meetings, except in this act otherwise provided. The police justice so elected shall qualify in the same manner as a justice of the peace of the town of Malta, and shall hold his office for two years after such election. He shall in all criminal actions and proceedings and special proceedings of a criminal nature, for or on account of offenses committed, or charged to have been committed, upon the said grounds of said association, or within one-half mile thereof, have all the jurisdiction and authority which a justice of the peace of any town would have if such offenses were committed in such town, including jurisdiction to hold courts of special sessions for the trial of persons charged with the commission of misdemeanors upon said grounds, with all the powers hereby conferred upon him be subject to the same duties and liabilities as a justice of the peace of the town of Malta. His official title shall be Police Justice of the Round Lake Associations Grounds in the town of Malta, Saratoga county. In case of a vacancy occurring in the office of said police justice, otherwise than by expiration of term, a special election may be held in like manner by ten days public notice of the time and place thereof, appointed by the trustees of said association, and posted conspicuously in three public places on said grounds.

Change section 12 to section 4.

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Flaherty	Le Roy	Savery
Adams	Cottrell	Gallup	Little	Schaaff
Ainsworth	Creamer	Haffner	Longley	Smith, M. A.
Andrus	Cronin	Hagan	Martin	Smith, T.
Baker, A. B.	Davidson	Haggerty	McCarren	Stevens
Baker, A. H.	Decker	Hamilton	McKenzie	Strassburg
Barton	Demarest	Hayes	McMaster	Sullivan
Bauer	Dinehart	Hughes	Mead	Upson
Blake	Dinkelspiel	Hunting	Miley	Van Gorder
Blanchfield	Donaldson	Husted	Moffitt	Walters
Brown	Duffy	Kelly	Moody	West
Brownell	Dunlap	Kent	Murray	Whipple
Carson	Edwards	Kerrigan	Nixon	Yates
Cheney	Enz	Kimball	O'Neil	Yetman
Clark, J.	Fish	Lane	Rice	Young
Comstock	Fitts	Larmon	Ryan	Youngman
Connelly				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act to provide for the care and custody of the estates of persons sentenced to State prison for life" (No. 446), with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, line 4, after the word "kin" insert the words "or any creditor."

Section 2, line 7, after the word "of" insert the words "heirs-at-law and."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Guenther	McCairen	Smith, M. A.
Ainsworth	Davidson	Haffner	McMaster	Smith, T.
Andrus	Decker	Hagan	Mesick	Stevens
Baker, A. B.	Demarest	Haggerty	Miley	Strassburg
Baker, A. H.	Dinehart	Hayes	Murray	Towne
Bauer	Dinkelspiel	Hornidge	Nixon	Treadway
Blake	Donaldson	Hughes	O'Neil	Upton
Blanchfield	Duffy	Hunting	Pearsall	Van Gorder
Carson	Dunlap	Husted	Peck	Walters
Cheney	Edwards	Kelly	Rice	West
Clarke, C. C.	Endres	Kent	Roesch	Whipple
Comstock	Enz	Kerrigan	Ryan	Yates
Connelly	Fish	Lane	Saunders	Yetman
Coon	Flaherty	Little	Savery	Young
Cottrell	Graham	Longley	Schaaff	Youngman
Creamer	Groat	McCann		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act to provide for the erection of a hoist-bridge over the Erie canal in the city of Syracuse, and making an appropriation therefor" (No. 725), with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, line 5, after the word "canal" insert the words "on plans and specifications to be prepared and furnished by the State Engineer and Surveyor."

Same section, line 15, after the word "and" insert the word "the," and after the word "control" insert the words "and operation of said bridge."

At the end of section 1 add the words: "The work of constructing said bridge shall be done upon contract executed by and between said superintendent of public works and the contractor or contractors to whom the work therefor shall be awarded, and said work shall be let and awarded to the lowest responsible bidder or bidders, after due

publication and advertisement soliciting bids therefor based upon said plans and specifications to be prepared and furnished as hereinbefore provided."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Graham	Little	Smith, C.
Ainsworth	Creamer	Groat	Longley	Smith, M. A.
Andrus	Davidson	Guenther	Maynard	Smith, T.
Baker, A. B.	Decker	Haffner	McCarren	Stevens
Baker, A. H.	Demarest	Hagan	McKenzie	Strassburg
Bauer	Dinehart	Haggerty	Mead	Treadway
Blake	Dinkelspiel	Hamilton	Miley	Upton
Blanchfield	Donaldson	Harwood	Moody	Van Gorder
Blumenthal	Duffy	Hughes	Murray	Walters
Bush, R. P.	Dunlap	Husted	Nixon	West
Carson	Edwards	Kelly	O'Neil	Whipple
Cheney	Endres	Kent	Pearsall	Yates
Clarke, C. C.	Enz	Kerrigan	Peck	Yetman
Comstock	Fish	Lane	Ryan	Young
Connelly	Flaherty	Larmon	Saunders	Youngman
Coon	Gallup	Le Roy	Schaaff	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act to amend chapter 256 of the Laws of 1874, entitled 'An act to amend an act entitled An act to provide for laying out and improving roads and avenues in the village and town of Saratoga Springs,'" with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, line 1, insert before the word "chapter" the words "chapter 343 of the Laws of 1884, entitled 'An act to amend.'" "

Same section, line 2, insert after the word "entitled" the words "An act to amend an act entitled."

Same section, line 4, insert the word "four" after the word "seventy."

Same section, line 22, insert the word "of" after the word "commissioners."

Same section, line 29, strike out the letter "s" in word "contracts."

Amend the title by inserting after the word "chapter" the words and figures "343 of the Laws of 1884, entitled an act to amend chapter."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority

of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dinehart	Hagan	McAdam	Smith, M. A.
Ainsworth	Dinkelspiel	Hamilton	McCarren	Smith, T.
Andrus	Donaldson	Harwood	McKenzie	Sperry
Baker, A. H.	Duffy	Hayes	McMaster	Stevens
Barton	Edwards	Hughes	Mead	Strassburg
Blake	Endres	Hunting	Miley	Sullivan
Blanchfield	Enz	Husted	Moffitt	Townsend
Brown	Fish	Kelly	Murray	Upton
Bush, R. P.	Fitts	Kent	Nixon	Van Gorder
Carson	Flaherty	Kerrigan	O'Neil	Walters
Cheney	Gallup	Kimball	Pearsall	West
Connolly	Gibbs	Lane	Rhodes	Whipple
Coon	Graham	Larmon	Roesch	Yates
Cottrell	Greene	Little	Ryan	Yetman
Davidson	Groat	Loder	Saunders	Young
Decker	Guenther	Longley	Savery	Youngman
Demarest	Haffner	Martin	Saxton	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate sent for concurrence the following entitled bill:

"An act granting the consent of the State of New York to the acquisition by the United States of certain lands for the purpose of the erection of a light-house or light-houses, and a fog signal on Coney Island, and ceding jurisdiction over the same" (Rec. No. 312), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Saxton, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Groat	Martin	Sheldon
Adams	Cottrell	Haffner	McKenzie	Smith, M. A.
Ainsworth	Crosby	Hagan	Miley	Smith, T.
Andrus	Curtis	Haggerty	Moffitt	Sperry
Baker, A. B.	Davidson	Hayes	Moody	Stevens
Baker, A. H.	Decker	Hughes	Mullaney	Tefft
Bauer	Dinehart	Hunting	Newschafer	Townsend
Blanchfield	Dinkelspiel	Husted	O'Neil	Upton

Brown	Donaldson	Kent	Pearsall	Walters
Brownell	Dunlap	Kerrigan	Rhodes	West
Bush, R. P.	Endres	Kimball	Rice	Whipple
Carson	Enz	Lane	Saunders	Yates
Cheney	Fish	Larmon	Savery	Yetman
Clark, J.	Gibbs	Le Roy	Saxton	Young
Comstock	Graham	Little	Schaaff	Youngman
Connelly	Greene	Longley	Sheehan	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

A message from the Senate was received and read in the words following:

IN SENATE, *April 24, 1889.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 538) entitled "An act to amend section 422 of chapter 676 of the Laws of 1881, entitled 'An act to establish a Penal Code,' relating to position of cars in passenger trains." (Rec. No. 191.)

The vote upon the final passage of said bill having been reconsidered, On motion of Mr. Vedder, and by unanimous consent, the same was amended as follows:

Section 1, line , after the word "lumber" insert the word "merchandise."

And as amended passed, reëngrossed, and ordered to be sent to the Assembly for concurrence.

By order.

JOHN S. KENYON, *Clerk.*

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Davidson	Groat	McCarren	Schaaff
Adams	Decker	Guenther	Mead	Sheehan
Baker, A. B.	Demarest	Haffner	Mesick	Sheldon
Baker, A. H.	Dinehart	Flaherty	Miley	Smith, T.
Blake	Dinkelspiel	Hughes	Moffitt	Stevens
Blanchfield	Donaldson	Hunting	Moody	Strassburg
Blumenthal	Duffy	Husted	Mullaney	Towne
Brown	Dunham	Kelly	Newschafer	Upson
Brownell	Dunlap	Kent	Nixon	Van Gorder
Carson	Edwards	Kerrigan	O'Neil	Walters
Clark, J.	Endres	Kimball	Pearsall	West
Connelly	Enz	Lane	Peck	Whipple
Coon	Fish	Larmon	Roesch	Yates
Cottrell	Fitts	Little	Saunders	Yetman

Cronin	Gallup	Loder	Savery	Young
Crosby	Gibbs	Longley	Saxton	Youngman
Curtis	Graham	Martin		

The vote upon the final passage of said bill having been reconsidered, Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Groat	Little	Ryan
Adams	Cottrell	Guenther	Loder	Saunders
Ainsworth	Curtis	Haffner	Longley	Sheldon
Andrus	Davidson	Hagan	Martin	Sperry
Baker, A. B.	Decker	Haggerty	Mase	Stevens
Baker, A. H.	Demarest	Hamilton	McCann	Strassburg
Bauer	Dinehart	Hayes	McCarren	Tefft
Blake	Dinkelspiel	Hughes	McKenzie	Upton
Blanchfield	Donaldson	Hunting	Mead	Van Gorder
Blumenthal	Duffy	Husted	Mesick	Walters
Brown	Dunham	Kelly	Moffitt	West
Brownell	Dunlap	Kent	Moody	Whipple
Carson	Edwards	Kerrigan	Mullaney	Yates
Cheney	Enz	Kimball	Murray	Yetman
Clark, J.	Gibbs	Lane	Newschafer	Young
Comstock	Graham	Larmon	Nixon	Youngman
Connelly	Greene			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same as amended.

A message from the Senate was received and read, in the words following:

IN SENATE, *April 23, 1889.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (Int. No. 469) entitled "An act to provide for the issue of bonds by the mayor, aldermen and commonalty of the city of New York for expenses to be incurred by the department of public parks of said city in laying out a portion of Van Cortlandt park for the purposes of a military parade, camp and drill ground and rifle range, in pursuance of section 6 of chapter 522 of the Laws of 1889." (Rec. No. 133.)

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. Murphy, and by unanimous consent, the same was amended as follows:

Section 1, strike out the following words in the last three lines thereof: "They shall be exempt from taxation for city and county purposes, but not for State purposes."

And as amended, passed, reëngrossed and ordered sent to the Assembly for concurrence.

By order.

JOHN S. KENYON, *Clerk*.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
• { NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Hamilton	McCann	Schaaff
Adams	Davidson	Harwood	McCarren	Sheehan
Andrus	Decker	Hayes	McKenzie	Sheldon
Baker, A. B.	Demarest	Hughes	McMaster	Smith, M. A.
Baker, A. H.	Dinehart	Huntning	Mead	Stevens
Blake	Dinkelspiel	Husted	Miley	Strassburg
Blanchfield	Dunlap	Kelly	Moody	Sullivan
Blumenthal	Edwards	Kent	Mullaney	Townsend
Brown	Enz	Kerrigan	Newschafer	Van Gorder
Brownell	Fitts	Kimball	O'Neil	Walters
Carson	Gibbs	Lane	Pearsall	West
Cheney	Graham	Larmon	Rice	Whipple
Clark, J.	Greene	Little	Roesch	Yates
Connelly	Guenther	Locier	Ryan	Yetman
Coon	Haffner	Longley	Saunders	Young
Cronin	Hagan	Maynard	Savery	Youngman
Crosby	Haggerty	McAdam	Saxton	

The vote upon the final passage of said bill having been reconsidered,

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Haggerty	McKenzie	Schaaff
Ainsworth	Decker	Hughes	Mead	Sheehan
Andrus	Demarest	Huntning	Mesick	Sheldon
Aspinall	Dinehart	Husted	Miley	Smith, M. A.
Baker, A. B.	Dinkelspiel	Kelly	Miller	Stevens
Baker, A. H.	Donaldson	Kent	Moffitt	Strassburg
Bauer	Dunlap	Kerrigan	Moody	Sullivan
Blake	Endres	Kimball	Murray	Tefft
Blanchfield	Enz	Lane	Newschafer	Treadway
Blumenthal	Fish	Larmon	Nixon	Upson
Brown	Fitts	Little	O'Neil	Van Gorder

Brownell	Flaherty	Loder	Pearsall	Walters
Carson	Gallup	Longley	Rice	West
Cheney	Gibbs	Martin	Roesch	Whipple
Clark, J.	Graham	McAdam	Saunders	Yetman
Connelly	Greene	McCann	Savery	Young
Coon	Guenther	McCarren	Saxton	Youngman
Creamer	Haffner			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

The Senate sent for concurrence the following entitled bills:

"An act relative to certain streets and avenues lying in the Twenty-third ward of the city and county of New York" (Rec. No. 302), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hagan, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and committed to the committee on affairs of cities, retaining its place on the order of third reading.

"An act to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,' and the acts amendatory thereof" (Rec. No. 303), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to secure the registration of plumbers and the supervision of plumbing and draining in the city of Buffalo" (Rec. No. 304), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Andrus, and by unanimous consent, said bill was substituted for Assembly bill No. 628, now on the order of third reading, and read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, three-fifths being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Greene	Loder	Rhodes
Adams	Creamer	Groat	Longley	Rice
Andrus	Cronin	Guenther	Martin	Roesch
Aspinall	Crosby	Haffner	McCann	Ryan
Baker, A. B.	Curtis	Haggerty	McCarren	Saunders
Baker, A. H.	Decker	Hamilton	McKenzie	Savery
Barton	Demarest	Harwood	Mead	Sheehan
Blake	Dinehart	Hayes	Mesick	Sheldon
Blanchfield	Dinkelspiel	Hughes	Miley	Smith, M. A.
Blumenthal	Donaldson	Hunting	Miller	Smith, T.
Brown	Dunlap	Husted	Moffitt	Stevens
Brownell	Endres	Kelly	Moody	Strassburg

Bush, R. P.	Enz	Kent	Mullaney	Upson
Carson	Fish	Kerrigan	Murray	Van Gorder
Cheney	Fitts	King	Newschafer	Walters
Clark, J.	Flaherty	Lane	Nixon	West
Comstock	Gibbs	Larmon	Pearsall	Whipple
Connolly	Graham	Little	Peck	Young
Coon				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to amend sections 1093, 1097, 1106, 1108, 1109, 1113, 1117, 1118, 1119 and 1123 of the Code of Civil Procedure, and to repeal sections 1114, 1115 and 1116 of said Code, relating to trial jurors in the city and county of New York" (Rec. No. 305), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Sullivan, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and committed to the committee on judiciary, retaining its place on the order of third reading.

"An act to amend chapter 48 of the Laws of 1887, entitled 'An act to amend chapter 120 of the Laws of 1880, entitled An act to amend chapter 11 of the Laws of 1867, entitled An act to amend an act, entitled An act to create a board of public instruction in the city of Albany, to establish free schools therein, and amendatory of the several acts relating to the district schools in the said city, and to provide for the payment of the salaries of the clerk and superintendent of buildings and repairs'" (Rec. No. 306), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Youngman, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and to be read the third time April twenty-sixth.

"An act to provide for the improvement of portions of Jackson avenue, Vernon avenue and the Boulevard in Long Island City, and for the payment of the expenses thereof" (Rec. No. 307), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cronin, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

"An act to authorize the city of Buffalo to issue its bonds for the purpose of purchasing school lots and erecting, enlarging, repairing and furnishing school buildings" (Rec. No. 308), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Andrus, and by unanimous consent, said bill was substituted for Assembly bill No. 1173, now on the order of third reading, and ordered to be read the third time April twenty-sixth.

"An act exempting visiting militia regiments of other States from the provisions of law relating to parades on Sunday in the city of New York" (Rec. No. 309), which was read the first time, and by unanimous consent was also read the second time and referred to the committee on affairs of cities.

"An act to amend chapter 261 of the Laws of 1888, entitled 'An act

to amend chapter 706 of the Laws of 1887, entitled An act to provide for the relief of indigent soldiers, sailors and marines and the families of those deceased ” (Rec. No. 310), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. McCarren, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

“An act to tax the sales of beverages in certain cases ” (Rec. No. 311), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

“An act to amend section 4 of title 5 of chapter 1 of part 2 of the Revised Statutes, relative to the payment of mortgages on real estate acquired by descent or devise ” (Rec. No. 313), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

“An act to authorize the village of Fredonia to incur indebtedness, and to issue bonds for the erection of a village hall ” (Rec. No. 314), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Whipple, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Guenther	Longley	Rice
Adams	Creamer	Haffner	Maynard	Roesch
Ainsworth	Crosby	Hagan	McAdam	Saxton
Andrus	Curtis	Haggerty	McCann	Schaaff
Baker, A. B.	Davidson	Hamilton	McCarren	Sheldon
Baker, A. H.	Decker	Harwood	McKenzie	Smith, M. A.
Barton	Demarest	Hayes	McMaster	Smith, T.
Blake	Dinehart	Hughes	Mead	Sperry
Blanchfield	Dinkelspiel	Huntting	Mesick	Strassburg
Brownell	Donaldson	Husted	Miley	Sullivan
Bush, R. P.	Duffy	Kelly	Miller	Tefft
Carson	Dunham	Kent	Moffit	Upton
Cheney	Edwards	Kerrigan	Moody	Van Gorder
Clark, J.	Endres	Kimball	Murray	Walters
Clarke, C. C.	Fitts	Lane	Newschafer	West
Comstock	Gibbs	Larmon	O'Neil	Whipple
Connelly	Greene	Little	Pearsall	Yetman
Coon	Groat	Loder	Peck	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

“An act to amend chapter 122 of the Laws of 1883, entitled ‘An act to provide for voting by ballot at town meetings, on propositions to

raise money by tax,' as amended by chapter 82 of the Laws of 1885' (Rec. No. 315), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Edwards, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

A message from the Senate was received and read, in the words following:

To the Legislature:

The undersigned, appointed by the Senate and Assembly as a committee of conference relative to the matters of difference arising between the two Houses upon the Assembly bill entitled "An act making appropriation for the support of government" (No. 609), report that they have duly conferred upon said matters, and agreed to recommend as follows (references in all cases to the engrossed bill):

Your committee have agreed to recommend that the Assembly do concur in the following amendments to the bill as adopted by the Senate, viz.:

Page 1, line 13, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 16, strike out the words "executive department" and insert the same words between lines 16 and 17.

Page 2, line 2, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 6, after the word "for," first occurring, insert the word "the."

Same page, line 10, after the word "dollars" insert the words "and for office expenses one thousand dollars."

Same page, line 30, after the word "dollars" insert the words "payable at the same amounts as provided by law for the associate judges of the court of appeals."

Same page, line 36, after the word "dollars" insert the words "payable at the same amounts as provided by law for the crier and attendants of the court of appeals."

Page 3, line 3, strike out the word "sixty-nine" and insert the word "seventy-two," and after the word "thousand" strike out the word "nine" and insert the word "four."

Same page, lines 8 and 9, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, lines 10 and 11, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 13, after the word "said" insert the words "first named."

Same page, lines 28 and 29, strike out the words "one thousand eight" and insert the word "eighteen."

Page 4, line 7, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 18, strike out the word "yearly."

Same page, line 20, strike out the words "the annual."

Same page, line 26, after the word "necessary" insert the word "and."

Same page, lines 27 and 28, strike out the words "the total amount

of which" and insert the words "but the aggregate of the salaries of such clerical force, stenographer and messenger."

Page 6, line 27, strike out the word "three" and insert the word "four."

Page 7, line 8, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, lines 25 and 26, strike out the words "one thousand eight" and insert the word "eighteen."

Page 8, line 4, after the word "in" insert the word "the."

Same page, line 6, change the word "banking" to "bank."

Same page, line 12, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 13, strike out the words "one thousand eight" and insert the word "eighteen."

Page 9, line 1, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 32, after the word "instruction" insert the words "Regents of the University."

Page 10, lines 8 and 9, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, lines 11 and 12, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 31, strike out the words "postage, expressage."

Same page, line 36, strike out the word "appointed" and insert the word "apportioned."

Page 11, line 1, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 8, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 21, strike out the word "cabinet" and insert the word "museum."

Same page, line 21, strike out the words "agricultural museum."

Same page, line 22, strike out the word "cabinet" and insert the word "museum."

Page 11, line 27, after the word "thirty" insert the word "two."

Same page, line 28, strike out the word "ten" and insert the word "twelve."

Same page, line 35, strike out the words "one thousand eight" and insert the word "eighteen."

Page 12, line 1, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 6, strike out the word "experimental" and insert the word "experiment."

Same page, line 13, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 33, strike out the words "one hundred" and insert the word "eighty-five," and after the word "dollars" insert the words "of which amount the sum of ten thousand dollars shall be expended as provided in chapter 298 of the Laws of 1888, in the employment of not exceeding ten expert butter and cheese makers and for the necessary expenses thereof; and."

Same page, line 34, after the word "amount" insert the words "of eighty-five thousand dollars."

Same page, line 35, after the word "dollars" insert a new paragraph as follows:

"Commissioner of the new Capitol. For the commissioner of the new Capitol, for salary, seven thousand five hundred dollars."

Page 13, line 8, change the word "Crosswell's" to the word "Croswell's."

Same page, line 24, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 25, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 26, strike out the word "and," second occurring.

Same page, line 27, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 29, strike out the words "one thousand eight" and insert the word "eighteen."

Page 14, line 9, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 10, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 12, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, lines 13 and 14, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 15, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 16, strike out the word "and," first occurring.

Same page, line 17, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, lines 18 and 19, strike out the words "one thousand eight" and insert the word "eighteen."

Page 15, line 13, strike out the words "residing in the United States."

Same page, lines 22 and 23, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 24, strike out the words "one thousand eight" and insert the word "eighteen."

Page 16, line 4, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 36, strike out the words "to be used as a contingent fund."

Page 17, line 4, strike out the word "commissioners."

Same page, line 8, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 10, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 11, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 13, strike out the words "one thousand eight" and insert the word "eighteen;" strike out the word "and," second occurring.

Same page, lines 14 and 15, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 16, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 18, strike out the word "commission" and insert the word "commissioners."

Same page, line 20, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 26, strike out the word "one thousand eight" and insert the word "eighteen."

Page 18, line 28, strike out the word "seventy" and insert the words "one hundred."

Page 18, lines 30 and 31, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 36, strike out the words "one thousand eight" and insert the word "eighteen."

Page 21, after line 23, insert a new paragraph as follows:

"House of Refuge for Women, at Hudson. For compensation of officers and employes, for maintenance of the institution, and for transportation of convicts, sixty thousand dollars."

Page 22, line 4, after the word "thousand" insert the words "five hundred."

Same page, lines 6 and 7, strike out the paragraph which reads as follows:

"For stenographer to the State Commissioner of Lunacy, one thousand dollars."

Same page, line 31, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, lines 32 and 33, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 33, strike out the word "and," second occurring.

Same page, line 34, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, lines 35 and 36, strike out the words "one thousand eight" and insert the word "eighteen."

Page 23, line 5, strike out the words "one thousand eight" and insert the words "eighteen."

Same page, lines 9 and 10, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 13, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 13, strike out the word "and," second occurring.

Same page, line 14, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 16, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 18, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 22, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 25, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, lines 35 and 36, strike out the words "one thousand eight" and insert the word "eighteen."

Page 24, line 5, strike out the word "eighteen" and insert the word "nineteen."

Same page, line 7, strike out the word "eighteen" and insert the word "twenty."

Same page, line 9, strike out the words "eighteen thousand five hundred" and insert the words "twenty thousand."

Same page, line 15, strike out the word "seventeen" and insert the word "eighteen."

Same page, line 21, strike out the words "nineteen thousand five hundred" and insert the words "twenty thousand."

Same page, line 25, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 29, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 36, before the word "school" insert the word "common."

Same page, line 36, strike out the word "Capitol" and insert the same between line 36 on page 24 and line 1 on page 25.

Page 25, lines 2 and 3, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 3, strike out the word "fifty," first occurring, and insert the word "forty."

Same page, line 17, strike out the word "Capitol" and insert the same between lines 17 and 18.

Same page, line 29, strike out the words "one thousand eight" and insert the word "eighteen."

Page 26, line 1, strike out the word "revenue" and insert the same between lines 1 and 2.

Same page, line 3, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 6, strike out the word "revenue" and insert the same between lines 6 and 7.

Same page, line 7, strike out the word "statistics" and insert the word "records."

Your committee further report that they have agreed to recommend that the Assembly do concur in the amendments of the Senate to the following items, after being amended in conference committee so as to read as follows:

Page 11, line 10, "For the purchase of books, and for binding, lettering and marking books, fifteen thousand dollars, to be paid to the trustees, in semi-annual payments, on vouchers to be approved by the Comptroller on the first day of October and April."

Your committee further report that they have agreed to recommend that the Senate do recede from the following amendments to the bill as adopted by the Senate:

Page 3, lines 13 and 14, strike out the words "two hundred and fifty."

Page 6, line 12, strike out the word "twelve" and insert the word "eleven."

Same page, line 14, strike out the words "fifteen hundred" and insert the words "one thousand."

Your committee further report that they have agreed to recommend that the Senate do recede from their amendments to the following items, and concur therein after being amended in conference committee, so as to read as follows:

Page 20, line 19:

"For the Society for the Reformation of Juvenile Delinquents in the city of New York, one hundred and twenty thousand dollars. But of the sum hereby appropriated, a sufficient amount shall be set aside to pay the transportation of all inmates on their absolute or conditional release at the rate of four cents per mile to the place of their residence or conviction; and each inmate so released must be paid the sum above named.

"For the State Industrial School at Rochester, ninety thousand dollars."

And your committee do further report that they have agreed to recommend that the two Houses do concur in amending the item commencing on line 28 on page 25, so as to read as follows:

"For establishing and conducting examinations in accordance with chapter 425 of the Laws of 1877, and for conducting preliminary examinations for law students, as prescribed by the rules of the court of appeals in pursuance of section 193 of the Code of Civil Procedure, twelve thousand dollars."

All of which is respectfully submitted.

ALBANY, April 23, 1889.

GEO. B. SLOAN,
FRANK A. ARNOLD,
JOHN J. LINSON,
Senate Committee.

D. AINSWORTH,
WILL C. STEVENS,
L. MOFFITT,
GEO. W. GREENE,
JOHN MARTIN,
Assembly Committee.

IN SENATE, April 24, 1889.

Report of conference committee agreed to.

By order,

JOHN S. KENYON, *Clerk.*

Mr. Speaker put the question whether the House would agree to the report of the committee of conference, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Creamer	Hagan	McCann	Smith, M. A.
Adams	Crosby	Haggerty	McCarren	Smith, T.
Ainsworth	Davidson	Hamilton	McKenzie	Sperry
Andrus	Decker	Harwood	McLaughlin	Stevens
Aspinall	Demarest	Hughes	McMaster	Strassburg

Baker, A. B.	Dinehart	Hunting	Mead	Sullivan
Baker, A. H.	Dinkelspiel	Husted	Mesick	Tefft
Barton	Donaldson	Kelly	Moffitt	Towne
Bauer	Edwards	Kent	Murray	Treadway
Blanchfield	Endres	Kimball	Newschafer	Upson
Blumenthal	Fish	Lane	Nixon	Van Gorder
Brown	Fitts	Larmon	Pearsall	Walters
Brownell	Flaherty	Le Roy	Rhodes	West
Bush, R. P.	Gallup	Little	Rice	Whipple
Carson	Graham	Loder	Ryan	Yates
Cheney	Greene	Longley	Saunders	Yetman
Clark, J.	Groat	Martin	Schaaß	Young
Coon	Guenther	Maynard	Sheehan	Youngman
Cottrell	Haffner	McAdam	Sheldon	

Ordered, That the clerk return said bill to the Senate with a message that the Assembly have agreed to the report of the committee of conference thereon.

The bill (No. 458) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to police justices and the clerks of the Court of Special Sessions," having been announced for a third reading,

Mr. Fish moved to amend as follows:

Section 1541, line 1, strike out the word "eleven" and insert in place thereof the word "fifteen."

Mr. Gibbs moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Fish to amend, and it was determined in the affirmative.

Said bill, as amended, was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 1 } .

Those who voted in the affirmative, were

Acker	Cronin	Hayes	Mead	Smith, C.
Adams	Curtis	Hornidge	Mesick	Smith, M. A.
Ainsworth	Decker	Hunting	Moody	Smith, T.
Aspinall	Dinehart	Husted	Mullaney	Stevens
Baker, A. B.	Duffy	Kelly	Murray	Strassburg
Baker, A. H.	Dunham	Larmon	Newschafer	Sullivan
Blake	Dunlap	Le Roy	Nixon	Towne
Blanchfield	Edwards	Lewis	O'Neil	Treadway
Blumenthal	Endres	Little	Pearsall	Van Gorder
Brownell	Fish	Loder	Peck	Walters
Carson	Fitts	Longley	Rice	West

Clark, J.	Gibbs	Maynard	Roesch	Whipple
Clarke, C. C.	Graham	McAdam	Saunders	Yates
Comstock	Groat	McCann	Savery	Yetman
Connelly	Haffner	McCarren	Saxton	Young
Coon	Haggerty	McKenzie	Schaaff	Youngman
Cottrell	Hamilton	McLaughlin	Sheehan	Speaker
Creamer	Harwood	McMaster		

For the negative,

Martin

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

On motion of Mr. Ainsworth, and by unanimous consent, Assembly bill No. 916, entitled "An act to amend section 259 of the Code of Civil Procedure, relating to the salary of stenographers in the fifth judicial district," now on the order of third reading, was ordered to be read the third time at 1 o'clock to-day.

Mr. Cottrell offered for the consideration of the House a resolution, in the words following :

Resolved (if the Senate concur), That when the Legislature adjourns on Friday next it shall adjourn until 8.15 o'clock P. M. on Monday, May 6, 1889.

On motion of Mr. Husted, said resolution was made a special order for 1 o'clock to-day.

The bill (No. 1130) entitled "An act to amend section 52 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' by giving salaries to the commissioners of the department of parks," having been announced for a third reading,

On motion of Mr. Gibbs, and by unanimous consent, the same was amended as follows:

Strike out all after the enacting clause and insert the following:

SECTION 1. Section 42 of chapter 410 of the Laws of 1882, entitled "An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York," is hereby amended so as to read as follows:

§ 42. The head of the department of public parks shall be called the board of parks. Said board shall consist of two members, one of said commissioners shall be selected from the political party which at the last general election for Governor cast for its candidate for Governor the greatest number of votes, and the other of said commissioners shall be selected from the political party which at the last general election for Governor cast the next greatest number of votes for its candidate for Governor, and shall be known as commissioners of parks, and who shall unless sooner removed, hold their office for five years or until their successors shall be respectively appointed and have qualified. And the successor of any commissioner of public parks shall be appointed from the political party from which the appointment was originally made, in such manner that the two commissioners constituting said board shall be of different political faith. The said commissioners shall be appointed on or before the 10th day

of May, 1889. The term of office of the commissioners constituting the board of parks at the time of such appointment shall wholly cease and terminate upon the appointment and qualification of the commissioners of parks appointed as herein provided. The said board of parks so appointed shall have and possess all the powers and authority and be subject to all the duties and obligations conferred or imposed upon the present board of parks under existing laws.

§ 2. Section 52 of said act is hereby amended so as to read as follows:

§ 52. The annual salaries to be paid to persons herein named and elected or appointed to the several specified positions shall, from and after their entrance upon their duties, be as follows, and such salaries shall be in full for all services rendered by them to the city or county in any capacity whatever:

To the mayor, \$10,000.

To the comptroller, \$10,000.

To the commissioner of public works, \$8,000.

To the corporation counsel, \$12,000, and all legal costs collected by him shall be paid into the treasury of the city.

To the commissioners of police, \$5,000 each.

To the commissioners of the department of parks, \$5,000 each.

To the commissioners of the fire department, \$5,000 each.

To the commissioners of the department of public charities and correction, \$5,000 each.

To the corporation attorney, the public administrator, and the attorney for the collection of arrears of personal taxes, \$4,000 each.

To the attorney for the fire department, \$4,000.

To the president of the health department, \$5,000.

To the commissioner of the health department, other than the president, \$4,000.

To the president of the board of aldermen, \$3,000.

To the members of the board of aldermen, other than the president, \$2,000 each.

To the president of the department of taxes and assessments, \$5,000.

To the commissioners of the department of taxes and assessments, other than the president, \$4,000.

To the commissioners of the department of docks, \$3,000 each.

To the commissioner of street cleaning, \$6,000.

To the commissioners of accounts, appointed by the mayor, \$2,000 each.

No subordinate in any department shall receive a salary in excess of the highest salary paid to the head of the department, except that the chief engineer of docks and the superintendent of police may each receive a salary not exceeding \$6,000. But there shall continue to be paid to the persons who held the following specified positions on May 28, 1880, during the remainder of the terms then held by them, so long as they retain the same, annual salaries as follows, which shall be in full for all services rendered by them to the city or county, in any capacity whatever:

To the commissioners of police, \$6,000 each.

To the president of the health department, \$6,500.

To the commissioner of health, other than the president, \$5,000.

To the commissioners of taxes and assessments, \$5,000 each.

To the commissioners of accounts, appointed by the mayor, \$3,000 each.

§ 3. This act shall take effect immediately.

Amend the title so as to read as follows:

"An act to amend sections 42 and 52 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in relation to the appointment and salaries of the commissioners of parks."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
{ NOES 5 }

Those who voted in the affirmative, were

Acker	Comstock	Haffner	McAdam	Schiaaff
Adams	Connelly	Hagan	McCann	Sheldon
Ainsworth	Coon	Haggerty	McKenzie	Smith, M. A.
Aspinall	Cottrell	Hamilton	McMaster	Smith, T.
Baker, A. B.	Creamer	Harwood	Mead	Sperry
Baker, A. H.	Crosby	Hayes	Mullaney	Strassburg
Barton	Curtis	Hughes	Murray	Sullivan
Bauer	Decker	Hunting	Newschafer	Towne
Blake	Dinehart	Husted	Nixon	Treadway
Blanchfield	Duffy	Kelly	Pearsall	Upton
Blumenthal	Dunlap	Kent	Rhodes	Van Gorder
Brown	Edwards	King	Rice	Walters
Bush, G. H.	Endres	Le Roy	Roesch	West
Bush, R. P.	Enz	Lewis	Ryan	Whipple
Carson	Fish	Little	Saunders	Yates
Cheney	Gibbs	Loder	Savery	Young
Clark, J.	Groat	Maynard	Saxton	Youngman
Clarke, C. C.				

Those who voted in the negative, were

Dinkelspiel Guenther Hornidge Kerrigan Martin

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1202) entitled "An act in relation to Second avenue, in the city of Brooklyn," having been announced for a third reading,

On motion of Mr. Longley, and by unanimous consent, the same was amended as follows:

Section 2, strike out the period (.) after the word "avenue" in line 2, and make the capital letter "W" in the word "when," in the same line, a small letter, corresponding in size with the other letters in said word "when," so that the two sentences may be united.

Said bill, as amended, was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 3 }

Those who voted in the affirmative, were

Acker	Cottrell	Haffner	McCarren	Saxton
Adams	Cronin	Haggerty	Mead	Sheehan
Andrus	Curtis	Hughes	Miley	Sheldon
Baker, A. B.	Decker	Hunting	Moody	Smith, M. A.
Baker, A. H.	Demarest	Husted	Murray	Stevens
Barton	Dinehart	Kelly	Newschafer	Strassburg
Bauer	Dinkelspiel	Kent	Nixon	Sullivan
Blake	Donaldson	Kerrigan	O'Neil	Towne
Blanchfield	Duffy	Kimball	Pearsall	Treadway
Blumenthal	Dunlap	Lane	Peck	Van Gorder
Bush, G. H.	Edwards	Lewis	Rhodes	Walters
Bush, R. P.	Endres	Longley	Rice	West
Carson	Fitts	Martin	Roesch	Whipple
Clark, J.	Flaherty	Maynard	Ryan	Yates
Comstock	Greene	McAdam	Saunders	Yetman
Connelly	Groat	McCann	Savery	Young
Coon	Guenther			

Those who voted in the negative, were

Aspinall Crosby King

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 548) entitled "An act to secure to children the benefits of an elementary education, and making an appropriation therefor," was announced for a third reading.

The question recurring upon the amendments offered by Mr. Coon at the session yesterday (see Assembly journal, April twenty-fourth),

Mr. McCarren moved to amend as follows:

Section 18, line 15, after the word "kept" insert the words "provided, however, that the truant home in the city of Brooklyn, as it now exists, shall in no wise be affected by this act, nor shall the attendance agents of the board of education in said city be in any wise affected by the provisions of this act, nor shall any child convicted of truancy in the city of Brooklyn and residing therein, be sent to any reformatory school other than the truant home of said city."

Mr. Speaker put the question whether the House would agree to said motion of Mr. McCarren, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Coon, and it was determined in the affirmative.

Mr. Hornidge moved to strike out in section 18, line 11, the words "until the," and all of line 12, same section.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Hornidge, and it was determined in the affirmative.

Mr. R. P. Bush moved to strike out in section 29, line 2, the words "Superintendent of Public Instruction," and inserting the words "the Governor," and in line 3, same section, strike out the words "during life," and insert the words "for six years."

Mr. McCann moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. R. P. Bush, and it was determined in the negative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 96 }
{ NOES 11 }

Those who voted in the affirmative, were

Acker	Coon	Graham	McKenzie	Smith, C.
Adams	Cottrell	Greene	McMaster	Smith, M. A.
Ainsworth	Cronin	Groat	Mead	Smith, T.
Andrus	Crosby	Hamilton	Mesick	Sperry
Aspinall	Curtis	Hornidge	Miller	Stevens
Baker, A. B.	Dante	Hughes	Moffit	Tefft
Baker, A. H.	Davidson	Hunting	Moody	Towne
Barton	Decker	Husted	Newschafer	Townsend
Bauer	Dinehart	Kent	Nixon	Treadway
Blumenthal	Donaldson	Kimball	O'Neil	Upson
Brown	Dunlap	King	Pearsall	Van Gorder
Brownell	Edwards	Lane	Peck	Walters
Bush, G. H.	Endres	Larmon	Rhodes	West
Bush, R. P.	Enz	Le Roy	Rice	Whipple
Carson	Fish	Lewis	Ryan	Yates
Cheney	Fitts	Little	Saunders	Yetman
Clark, J.	Flaherty	Loder	Savery	Young
Clark, C. C.	Gallup	Maynard	Saxton	Youngman
Comstock	Gibbs	McAdam	Sheldon	Speaker
Connelly				

Those who voted in the negative, were

Blake	Duffy	Hayes	McCarren	Strassburg
Creamer	Hagan	McCann	Schaaff	Sullivan
Dinkelspiel				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate sent for concurrence the following entitled bill:

"An act to make and declare the first day of May, 1889, in certain cities of the State a legal holiday" (Rec. No. 319), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, said bill was ordered to a third reading and now read the third time.

Said bill having been announced for a third reading,

On motion of Mr. Husted, and by unanimous consent, the same was amended as follows:

Line 1, between the figure "1" and the word "the" insert the words "the twenty-ninth day of April and."

Line 7, strike out the word "a" between the words "as" and "legal," and change the word "holiday" to "holidays."

Line 8, between the words "on" and "said" insert the words "either of," and change the word "day" to "days."

Line 10, strike out the words "day following" and insert the words "second day of May, 1889," and between the words "said" and "first" insert the words "twenty-ninth day of April and the."

Line 12, strike out the word "a" and change the word "holiday" to "holidays."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Hamilton	McCarren	Roesch
Ainsworth	Davidson	Hayes	McKenzie	Ryan
Baker, A. B.	Decker	Hughes	McLaughlin	Saxton
Baker, A. H.	Demarest	Hunting	McMaster	Smith, A. M.
Barton	Dinehart	Husted	Mead	Smith, T.
Bauer	Dinkelspiel	Kelly	Mesick	Stevens
Blumenthal	Donaldson	Kent	Miley	Strassburg
Brownell	Duffy	King	Miller	Sullivan
Bush, R. P.	Dunham	Lane	Moffitt	Tefft
Carson	Dunlap	Le Roy	Moody	Townsend
Cheney	Edwards	Little	Mullaney	Van Gorder
Clark, J.	Endres	Loder	Murray	Walters
Clarke, C. C.	Enz	Longley	Newschafer	West
Comstock	Fitts	Martin	Nixon	Whipple
Connelly	Gallup	Mase	Peck	Yetman
Cottrell	Gibbs	McAdam	Rhodes	Young
Creamer	Greene	McCann	Rice	Youngman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. R. P. Bush moved to take from the table the motion to reconsider the vote by which Assembly bill No. 1163, entitled "An act to amend title 2 of chapter 3 of part 4 of the Revised Statutes, relating to State prisons," was lost.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Creamer	Groat	Lewis	O'Neil
Ainsworth	Cronin	Guenther	Little	Pearsall
Aspinall	Crosby	Haffner	Loder	Peck
Baker, A. B.	Curtis	Haggerty	Longley	Saxton
Baker, A. H.	Dante	Hamilton	Martin	Sheehan
Barton	Davidson	Harwood	Maynard	Sheldon
Blake	Decker	Hayes	McAdam	Smith, C.
Blanchfield	Dinehart	Hornidge	McCann	Smith, T.
Blumenthal	Dinkelspiel	Hughes	McKenzie	Strassburg
Brown	Duffy	Hunting	McMaster	Sullivan
Brownell	Dunham	Husted	Mead	Townsend
Bush, G. H.	Edwards	Kimball	Mesick	Walters
Carson	Endres	King	Moffitt	West
Clark, J.	Enz	Lane	Mullaney	Whipple
Clarke, C. C.	Flaherty.	Larmon	Murray	Yetman
Comstock	Gibbs	Le Roy	Newschafer	Young
Cottrell	Greene			

The vote by which said bill was lost having been reconsidered,

Mr. R. P. Bush moved to amend section 4, page 39, by striking out the words "one million" and inserting the words "five hundred thousand" in place thereof.

Mr. Peck moved to amend by striking out the words "one million" and inserting the words "two hundred and fifty thousand" in place thereof.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Peck, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. R. P. Bush, and it was determined in the affirmative.

Mr. Yates moved to add the following to section 3:

"It shall not be lawful for the Superintendent of State Prisons or the agent and wardens or managers of any of the penal institutions of this State, to hereafter receive or permit to be received therein any prisoner convicted in the United States court held without the State of New York or in any State court other than that of the State of New York."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
{ NOES 20 }

Those who voted in the affirmative, were

Acker	Creamer	Haffner	McKenzie	Smith, C.
Adams	Crosby	Hamilton	McMaster	Smith, M. A.
Ainsworth	Curtis	Harwood	Mead	Smith, T.
Andrus	Davidson	Hayes	Mesick	Sperry
Aspinall	Decker	Hornidge	Miller	Stevens
Baker, A. B.	Dinehart	Hughes	Moffitt	Sullivan
Baker, A. H.	Dinkelspiel	Hunting	Moody	Tefft
Barton	Donaldson	Husted	Mullaney	Towne
Blumenthal	Duffy	Kimball	Newschafer	Townsend
Brownell	Dunham	King	Nixon	Treadway
Bush, G. H.	Dunlap	Lane	Pearsall	Upson
Bush, R. P.	Edwards	Larmon	Peck	Van Gorder
Carson	Enz	Le Roy	Rhodes	Walters
Cheney	Fish	Lewis	Rice	West
Clark, J.	Fitts	Little	Saunders	Whipple
Clarke, C. C.	Flaherty	Loder	Savery	Yates
Comstock	Gibbs	Martin	Saxton	Yetman
Connelly	Greene	Maynard	Sheehan	Young
Coon	Groat	McAdam	Sheldon	Youngman
Cottrell	Guenther			

Those who voted in the negative, were

Bauer	Demarest	Kelly	McCarren	Roesch
Blake	Endres	Kent	Miley	Ryan
Blanchfield	Gallup	Kerrigan	Murray	Schaaff
Dante	Graham	Longley	O'Neil	Strassburg

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the following entitled bills:

"An act to authorize the mayor, aldermen and commonalty of the city of New York to provide for the expense of the participation by the Veteran Firemen's Association of the city of New York in the celebration of the centennial anniversary of the inauguration of George Washington as first President of the United States" (Rec. No. 316), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Blumenthal, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading, and to be read the third time at 2.15 p. m. to-day, April twenty-fifth.

"An act to amend chapter 285 of the Laws of 1887, entitled 'An act to amend chapter 175 of the Laws of 1883, entitled An act to provide for the incorporation and regulation of coöperative or assessment life and casualty insurance associations and societies'" (Rec. No. 317), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Haggerty, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and commit-

ted to the committee on insurance, retaining its place on the order of third reading.

"An act to secure adequate compensation for the right to construct, maintain, use and operate by electric power, heat and light companies, poles, subways, wires and conductors in cities of a million inhabitants or over, and in relation to such companies" (Rec. No. 318), which was read the first time, and by unanimous consent, was also read the second time.

On motion of Mr. Hamilton, and by unanimous consent, said bill was ordered to a third reading and printed as an Assembly bill.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Dinehart, Int. No. 619, entitled "An act to revise, amend and consolidate the several acts in relation to the city of Hudson, and to revise and amend the charter of said city," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Deane, Int. No. 242, entitled "An act to revise, amend and consolidate the several acts in relation to the city of Hudson, and to revise and amend the charter of said city," reported in favor of the passage of the same, with amendments, which report was agreed to.

On motion of Mr. Crosby, and by unanimous consent, said bill was substituted for Assembly bill, Int. No. 619, now on the order of third reading.

Mr. McLaughlin offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 648, entitled "An act to further provide the means for the erection and completion of a soldiers and sailors' monument in the city of Brooklyn, by authorizing the issue of bonds," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. McLaughlin offered for the consideration of the House a resolution, in the words following:

Resolved, That Senate bill No. 308, entitled "An act to amend chapter 420 of the Laws of 1880, entitled 'An act to amend chapter 123 of the Laws of 1874, entitled An act to amend the charter of The Hudson Suspension Bridge and New England Railway Company'" (Rec. No. 112), now on the order of third reading, be read the third time to-morrow, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Greene moved to take from the table the motion to reconsider the vote by which Assembly bill No. 948, entitled "An act to incorporate the New York and New Jersey Bridge Company, for the purpose of constructing and maintaining a permanent bridge for

passenger and other traffic over the waters between New York city and the State of New Jersey, together with all necessary connections, appurtenances and approaches thereto and stations," was lost.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 73 }
{ NOES 28 }

Those who voted in the affirmative, were

Adams	Dante	Hayes	McAdam	Schaaff
Ainsworth	Davidson	Hughes	McCann	Sheldon
Baker, A. B.	Decker	Huntting	McCarren	Smith, C.
Baker, A. H.	Demarest	Husted	McLaughlin	Smith, M. A.
Barton	Dinehart	Kelly	Mead	Stevens
Blanchfield	Donaldson	Kent	Mesick	Sullivan
Brown	Dunham	Kimball	Miley	Tefft
Brownell	Endres	Lane	Miller	Towne
Bush, R. P.	Flaherty	Larmon	Moffitt	Townsend
Carson	Graham	Le Roy	Murray	Treadway
Clark, J.	Greene	Lewis	Nixon	Upson
Clarke, C. C.	Groat	Little	Pearsall	Van Gorder
Comstock	Guenther	Loder	Rice	West
Cronin	Haggerty	Longley	Savery	Yetman
Curtis	Harwood	Maynard		

Those who voted in the negative, were

Acker	Cottrell	Fish	King	Ryan
Andrus	Creamer	Gallup	Martin	Saunders
Aspinall	Crosby	Gibbs	McMaster	Sheehan
Blake	Dinkelspiel	Hagan	Mullaney	Sperry
Connelly	Duffy	Hamilton	Rhodes	Youngman
Coon	Dunlap	Kerrigan		

The vote by which said bill was lost having been reconsidered,

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 70 }
{ NOES 40 }

Those who voted in the affirmative, were

Adams	Dante	Harwood	Maynard	Savery
Ainsworth	Davidson	Hughes	McAdam	Schaaff
Baker, A. B.	Decker	Huntting	McCann	Sheldon
Baker, A. H.	Demarest	Husted	McCarren	Smith, C.

Barton	Donaldson	Kelly	McLaughlin	Smith, M. A.
Bauer	Dunham	Kent	Mead	Stevens
Blanchfield	Enz	Kimball	Mesick	Sullivan
Brown	Flaherty	Lane	Miley	Tefft
Brownell	Graham	Larmon	Miller	Towne
Carson	Greene	Le Roy	Moffitt	Treadway
Clark, J.	Groat	Lewis	Murray	Van Gorder
Clarke, C. C.	Guenther	Little	Nixon	Walters
Comstock	Haffner	Loder	Pearsall	West
Curtis	Haggerty	Longley	Rice	Yetman

Those who voted in the negative, were

Acker	Cottrell	Fitts	McKenzie	Saxton
Andrus	Creamer	Gallup	McMaster	Sheehan
Aspinall	Crosby	Gibbs	Moody	Sperry
Blake	Dinkelspiel	Hagan	Mullaney	Townsend
Blumenthal	Duffy	Hamilton	Newschafer	Upson
Cheney	Dunlap	Kerrigan	Rhodes	Yates
Connelly	Endres	King	Ryan	Young
Coon	Fish	Martin	Saunders	Youngman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 916) entitled "An act to amend section 259 of the Code of Civil Procedure, relating to the salary of stenographers in the fifth judicial district," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Fish	Kent	Newschafer
Adams	Cottrell	Fitts	Kimball	O'Neil
Ainsworth	Creamer	Gallup	King	Pearsall
Aspinall	Cronin	Graham	Larmon	Peck
Baker, A. B.	Curtis	Greene	Le Roy	Rhodes
Baker, A. H.	Dante	Groat	Lewis	Saunders
Barton	Davidson	Guenther	Longley	Savery
Bauer	Decker	Haffner	Martin	Saxton
Blanchfield	Demarest	Haggerty	Maynard	Smith, T.
Blumenthal	Dinehart	Hamilton	McAdam	Van Gorder
Brown	Dinkelspiel	Harwood	McCann	West
Brownell	Donaldson	Hayes	McMaster	Yates
Carson	Dunlap	Hughes	Mead	Yetman
Cheney	Edwards	Hunting	Moffitt	Young
Clarke, C. C.	Endres	Husted	Moody	Youngman
Connelly	Enz	Kelly	Murray	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Husted called from the table the resolution in the words following :

Resolved (if the Senate concur), That when the Legislature adjourns on Friday next it shall adjourn until 8.15 o'clock P. M. on Monday, May 6, 1889.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Moffitt offered for the consideration of the House a resolution, in the words following:

Resolved, That 500 copies of Assembly bill No. 1163, entitled "An act to amend title 2 of chapter 3 of part 4 of the Revised Statutes, relating to State prisons," as passed by this House, be printed for the use of the members.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

} AYES 81 }
 } NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Guenther	Longley	Savery
Adams	Curtis	Haffner	McAdam	Saxton
Aspinall	Dante	Hagan	McCann	Schaaff
Baker, A. B.	Decker	Haggerty	McCarren	Sheldon
Baker, A. H.	Demarest	Hamilton	McMaster	Smith, C.
Barton	Dinkelspiel	Harwood	Mead	Smith, M. A.
Bauer	Donaldson	Hughes	Miller	Smith, T.
Blanchfield	Dunlap	Kent	Moffitt	Sperry
Blumenthal	Edwards	Kerrigan	Moody	Stevens
Brownell	Endres	Kimball	Nixon	Sullivan
Carson	Enz	King	Pearsall	Treadway
Cheney	Fish	Lane	Peck	Upson
Clark, J.	Fitts	Larmon	Rhodes	Van Gorder
Clarke, C. C.	Flaherty	Lewis	Rice	Walters
Connolly	Greene	Little	Roesch	Yetman
Coon	Groat	Loder	Saunders	Young
Cottrell				

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The bill (No. 1111) entitled "An act to authorize the purchase of sites and the erection of buildings for municipal purposes in the city of Brooklyn," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Enz	Loder	Sheehan
Adams	Connelly	Gibbs	Longley	Sheldon
Ainsworth	Coon	Graham	Martin	Smith, M. A.
Andrus	Cottrell	Groat	Maynard	Sperry
Baker, A. B.	Creamer	Guenther	McCann	Stevens
Baker, A. H.	Cronin	Haffner	McCarren	Sullivan
Barton	Crosby	Hagan	Mead	Towne
Blake	Curtis	Haggerty	Mesick	Treadway
Blanchfield	Dante	Harwood	Moffitt	Van Gorder
Blumenthal	Davidson	Hughes	Mullaney	Walters
Brown	Demarest	Husted	Murray	West
Brownell	Dinehart	Kelly	Rice	Whipple
Bush, G. H.	Dinkelspiel	Kent	Ryan	Yates
Carson	Dunlap	King	Savery	Yetman
Cheney	Edwards	Lewis	Saxton	Young
Clarke, C. C.	Endres	Little	Schaaff	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1112) entitled "An act to authorize the purchase of sites and the erection of buildings for school purposes, in the city of Brooklyn, and to provide the means therefor," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Gallup	Longley	Schaaff
Ainsworth	Cottrell	Greene	Maynard	Sheehan
Andrus	Cronin	Groat	McCann	Sheldon
Aspinall	Crosby	Guenther	McCarren	Smith, M. A.
Baker, A. B.	Curtis	Haffner	McKenzie	Smith, T.
Baker, A. H.	Dante	Hagan	McLaughlin	Sperry
Barton	Davidson	Haggerty	McMaster	Stevens
Bauer	Decker	Harwood	Mead	Sullivan
Blake	Demarest	Hayes	Mesick	Treadway
Blanchfield	Dinkelspiel	Hughes	Miley	Upton
Blumenthal	Donaldson	Husted	Moffitt	Van Gorder
Brown	Duffy	Kelly	Moody	Walters
Bush, G. H.	Dunlap	Kent	Mullaney	West
Bush, R. P.	Edwards	Kerrigan	O'Neil	Whipple
Carson	Endres	King	Pearsall	Yates
Cheney	Enz	Larmon	Rhodes	Yetman
Clarke, C. C.	Fish	Le Roy	Roesch	Young
Comstock	Fitts	Lewis	Ryan	Youngman
Connelly	Flaherty	Loder	Saxton	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Husted offered for the consideration of the House a resolution, in the words following:

Resolved, That the session this evening be for general business, subject to the provisions of the Ninth Joint Rule.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The privileges of the floor were extended to Hons. George Barrow, Edward Gallagher and George Beatty.

Messrs. Hamilton and Youngman presented petitions relative to the misappropriation of common school moneys or subjecting wards of the State to sectarian control; which were read and referred to the committee on public education.

Mr. Speaker presented a petition relative to a State live stock inspection; which was read and referred to the committee on public health.

Mr. Dunlap presented a petition relative to employment of convicts; which was read and referred to the committee on State prisons.

The bill (No. 1110) entitled "An act in relation to local improvements in the city of Brooklyn, and to provide for the issue of bonds for the same," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Groat	McCann	Saunders
Ainsworth	Cottrell	Guenther	McCarren	Savery
Andrus	Creamer	Haffner	McKenzie	Schaaff
Aspinall	Cronin	Hagan	McLaughlin	Sheehan
Baker, A. B.	Crosby	Haggerty	McMaster	Sheldon
Baker, A. H.	Dante	Hamilton	Mead	Smith, M. A.
Barton	Demarest	Harwood	Miley	Smith, T.
Bauer	Dinehart	Hayes	Miller	Sperry
Blake	Dinkelspiel	Hughes	Moffitt	Stevens
Blanchfield	Donaldson	Husted	Moody	Towne
Blumenthal	Duffy	Kelly	Murray	Treadway
Brown	Dunlap	Kent	Nixon	Van Gorder
Brownell	Edwards	Kerrigan	O'Neil	Walters
Bush, G. H.	Endres	King	Peck	Whipple
Carson	Enz	Lewis	Rhodes	Yates
Cheney	Fitts	Little	Rice	Yetman
Clark, J.	Fitts	Loder	Roesch	Young
Clarke, C. C.	Flaherty	Longley	Ryan	Youngman
Comstock	Graham	Maynard		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1109) entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing, special and local laws affecting public interests in the city of Brooklyn,' so far as relates to auxiliary sewers," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Haffner	McAdam	Roesch
Ainsworth	Davidson	Haggerty	McCann	Ryan
Andrus	Decker	Harwood	McCarren	Saunders
Aspinall	Demarest	Hornidge	McKenzie	Savery
Baker, A. B.	Dinehart	Hughes	McLaughlin	Schaaff
Baker, A. H.	Dinkelspiel	Hunting	McMaster	Sheehan
Barton	Donaldson	Husted	Mead	Sheldon
Bauer	Duffy	Kelly	Miley	Smith, M. A.
Blanchfield	Dunham	Kent	Moffitt	Smith, T.
Blumenthal	Edwards	Kimball	Moody	Sperry
Brown	Endres	Lane	Mullaney	Stevens
Bush, G. H.	Fitts	Lewis	Murray	Tefft
Carson	Flaherty	Little	Newschafer	Upson
Cheney	Graham	Loder	Nixon	Van Gorder
Clarke, C. C.	Greene	Longley	O'Neil	Walters
Comstock	Groat	Martin	Pearsall	Whipple
Cottrell	Guenther	Maynard	Peck	Young
Creamer				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Haggerty offered for the consideration of the House a resolution, in the words following :

Resolved, That Senate bill No. 356, entitled "An act to incorporate the New York and Brooklyn Tunnel Company" (Rec. No. 281), be read the third time on Friday morning immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. A. H. Baker offered for the consideration of the House a resolution, in the words following :

Resolved, That Assembly bill No. 912, entitled "An act to provide for labeling bottles, boxes or other receptacles containing oil or lard, of which cottonseed oil is a component part," be recommitted to the committee on public health for a hearing, retaining its place on the order of third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. McKenzie, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend chapter 392, Laws of 1871, entitled 'An act to incorporate the Southern New York Baptist Association.' (No. 969.)

"An act to prohibit the St. Regis Indians residing in the Dominion of Canada from trespassing and settling upon that portion of the reservation of the St. Regis Indians residing in this State." (No. 1123.)

"An act to repeal subdivision 11 of section 75 of chapter 6 of title 3 of part 2 of the Revised Statutes, relating to distribution of personal estate of intestates among relatives." (No. 1073.)

"An act to release to George Feller the title and interest of the people of the State of New York in and to certain lands in the county of Allegany, descended to him as heir-at-law of Christian Feller, his son, late of the town of Willing, in said county, deceased." (No. 1103.)

"An act to amend chapter 497 of the Laws of 1884, entitled 'An act to amend chapter 141 of the Laws of 1871, entitled An act to abolish tolls on certain roads and bridges in the towns of Newtown and Flushing, in the county of Queens, and provide compensation therefor.'" (No. 774.)

"An act to extend the time to file maps showing the boundary line between New York and New Jersey in lands under water in the Arthur kill, Kill von Kull and New York bay." (No. 1153.)

"An act to prevent the adulteration of strong or spirituous liquors, wines, ale or beer." (No. 1135.)

"An act relative to the power of the board of street opening and improvement in the city of New York." (No. 962.)

"An act to prohibit police officials or their subordinates from being interested in the manufacture or sale of any spirituous or malt liquors, ales, wines or beer, or in the sale of ball or amusement tickets." (No. 1054.)

"An act to amend section 983 of the Code of Civil Procedure, in regard to change of venue when the people of the State are a party." (No. 1076.)

"An act to provide for reports of the dormant accounts in savings banks incorporated under the Laws of this State." (No. 588.)

"An act to amend chapter 411 of the Laws of 1885, entitled 'An act relative to the assessment and collection of taxes, the disposition to be made of certain moneys collected, to legalize certain unpaid taxes, and to authorize the redemption of certain lands in towns within counties containing upwards of 300,000 inhabitants.'" (No. 1090.)

"An act to improve the sanitary condition of the capitol, and making an appropriation therefor." (No. 1081.)

"An act to exempt 'The Berachah Mission,' in the city of New York, from taxation and assessments." (No. 1079.)

"An act to release certain lands which have escheated to the State to Jacob Scherer, and enable him to convey the same." (No. 938.)

"An act to amend chapter 313 of the Laws of 1886, entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of New York.'" (No. 971.)

"An act to authorize the fixing of salaries of patrolmen acting as precinct detectives of police in the city of New York." (No. 1085.)

"An act to authorize the establishment of an electric plant for the

purpose of lighting the city of Jamestown, N. Y., with electric light, and to empower the common council of said city to raise the necessary funds therefor." (No. 1028.)

"An act to amend section 280 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, concerning penalty for resisting policemen by force or for falsely personating policemen or wearing insigna, uniform or distinctive apparel such as are worn by the police.'" (No. 1002.)

"An act to amend section 343 of the Penal Code, relating to wagers, betting and gambling." (No. 943.)

"An act to extend the time for the completion of the Hudson Tunnel Railway." (No. 1132.)

"An act to amend chapter 479 of the Laws of 1887, entitled 'An act prescribing the period in each year during which, and the terms under which racing may take place upon the grounds of associations incorporated for the purpose of improving the breed of horses, and suspending the operation of certain sections of the Penal Code.'" (No. 545.)

"An act in relation to local improvements in the town of Westchester, and repealing section 3 of chapter 131 of the Laws of 1880, relating to refunding of a portion of the indebtedness of the town of Westchester." (No. 1080.)

"An act authorizing the construction of a pier or breakwater along the north bank or side of Tonawanda creek, at Wendellville, in the county of Niagara, to protect the adjacent real estate and property from damages by water and ice, caused by the removal of earth by the State in the construction of a bridge over said creek and part of the towpath of the Erie canal, and making an appropriation therefor." (No. 995.)

"An act to provide for the revision and codification of the laws for the protection and preservation of fish and shellfish and of birds and quadrupeds, and making an appropriation therefor." (No. 1058.)

"An act to regulate the salaries of police patrolmen in Long Island City." (No. 913.)

"An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,' and the acts amending the same, relating to fire districts in incorporated villages." (No. 590.)

"An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica, and the acts amendatory thereof and supplemental thereto, relating to power of common council to raise additional tax.'" (No. 440.)

"An act to amend section 2693 of the Code of Civil Procedure, relative to the appointment of successors to executors or administrators." (No. 1044.)

"An act relative to the power of the board of street opening and improvement in the city of New York, relating to street bridges." (No. 676.)

"An act to amend chapter 417 of the Laws of 1878, entitled 'An act to provide for the laying cut and improvement of the public squares

and places established in Fourth avenue, in the city of New York, by chapter 528 of the Laws of 1873, and to provide means for the purposes of said act.” (No. 1077.)

“An act to provide for the inspection of meats intended for human food, and to provide for the appointment of inspectors thereof, for the protection of the public health.” (No. 1008.)

“An act to prevent and punish fraud in the sale of coal.” (No. 901.)

“An act to repeal chapter 170 of the Laws of 1866, relative to the village of Montezuma, and the acts amendatory thereof and supplementary thereto.” (No. 1106.)

“An act to authorize the board of claims to hear, audit and determine the claim of Charles B. Bensen, and to make an award thereon.” (No. 1125.)

“An act to amend section 1066 of chapter 410 of the Laws of 1882, entitled ‘An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, relative to certain institutions.’” (No. 894.)

Mr. Andrus moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Crosby offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 335, entitled “An act to amend chapter 241 of the Laws of 1883, entitled ‘An act to incorporate the International Committee of Young Men’s Christian Associations,’” now on the order of third reading, be read the third time on April twenty-sixth, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate returned the bill entitled “An act to legalize and confirm the action of the legal voters of the town of Delaware at the annual town meeting held March 5, 1889” (Int. No. 1148), with a message that they have concurred in the passage of the same, as amended.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill entitled “An act to amend chapter 482 of the Laws of 1875, entitled ‘An act to confer on boards of supervisors further power of local legislation and administration, and to regulate the compensation of supervisors,’ and the acts amending the same” (Rec. No. 135), with a message that they have concurred in the amendments of the Assembly thereto.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same.

“An act further to amend chapter 395 of the Laws of 1873, entitled ‘An act to alter the system of repairing the highways.’” (No. 488.)

“An act to authorize the comptroller of the city of New York to examine the claim of John J. Clarke and to audit and allow the same.” (No. 664.)

“An act to authorize the board of trustees of the village of Greenbush to make and establish the grade for streets, and to legalize the work for street improvements.” (Int. No. 1174.)

“An act authorizing the supervisor of the town of Penfield, in the

county of Monroe, and the trustees of 'Burying-ground No. 1,' in said town, to convey certain real estate to the 'Oakwood Cemetery Association' of Penfield, Monroe county, New York, and conferring certain powers on said association." (No. 1035.)

Ordered, That the Clerk deliver said bills to the Governor.

On motion of Mr. Whipple, the House took a recess until 8 o'clock P. M.

EIGHT O'CLOCK P. M.

The House again met.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill No. 648, entitled "An act to further provide the means for the erection and completion of a soldiers and sailors' monument in the city of Brooklyn, by authorizing the issue of bonds," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The privileges of the floor were extended to Hons. Charles Grattan, John B. Shea, John B. Clark and Michael Brennan.

Mr. Hagan offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 882, entitled "An act relating to paving and repairing certain streets in the city of New York, and the levying of assessments to pay the expense thereof, as a substitute for covenants for paving, repaving and repairing said streets," now on the order of third reading, be read the third time on Friday morning immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Rhodes offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 322, entitled "An act to authorize and provide for the construction and maintenance of sewers and drains in and for the village of New Rochelle, and for the payment thereof" for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Rhodes offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 631, entitled "An act to amend section 343 of the Penal Code," now on the order of third reading, be read the third time on Tuesday, May 7, at 11 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. McMaster offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 545, entitled "An act to amend chapter 479 of the Laws of 1887, entitled 'An act prescribing the period in each year during which, and the terms under which racing may take place upon the grounds of associations incorporated for the purpose of improving the breed of horses, and suspending the operation of certain sections of the Penal Code,'" now on the order of third reading, be read the third time April twenty-sixth.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Blumenthal offered for the consideration of the House a resolution, in the words following:

Resolved, That Senate bill No. 341, entitled "An act relative to the power of the board of street opening and improvement in the city of New York" (Rec. No. 283), now in the committee of the whole, be substituted for Assembly bill No. 676, now on the order of third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Crosby, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Ives, Int. No. 302, entitled "An act relative to certain streets and avenues lying in the Twenty-third ward of the city of New York," reported in favor of the passage of the same, which report was agreed to and said bill restored to its place on the order of third reading.

Mr. Crosby, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Hendricks, Int. No. 301, entitled "An act to authorize the city of Syracuse to acquire, construct, maintain and operate a system of water-works to supply said city and its inhabitants with water, and to issue its bonds in payment therefor, and to create a board of water commissioners in and for said city," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

The Senate returned the resolution relative to the adjournment of the Legislature till Monday, May sixth, at 8.15 o'clock, p. m., with a message that they have concurred in the passage of the same.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 637, entitled "An act to amend chapter 53 of the Laws of 1879, entitled 'An act to revise the charter of the city of Auburn,' and the several acts amendatory thereof" (Rec. No. 262), for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate with a message that the Assembly have concurred in the passage of the same.

The Senate returned the Senate bill entitled "An act to make and declare the 1st day of May, 1889, in certain cities of this State a legal holiday" (Rec. No. 319), with a message that they have concurred in

the amendments of the Assembly thereto, with the following further amendment:

Amend the title so as to read as follows:

"An act to make and declare the 29th day of April and the 1st day of May, 1889, in certain cities of the State, legal holidays."

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Flaherty	Larmon	Pearsall
Adams	Connolly	Gallup	Lewis	Peck
Ainsworth	Coon	Graham	Loder	Rice
Andrus	Cottrell	Guenther	Longley	Roesch
Baker, A. B.	Cronin	Haffner	Maynard	Sheehan
Baker, A. H.	Crosby	Haggerty	McAdam	Smith, M. A.
Barton	Davidson	Hamilton	McCarren	Smith, T.
Bauer	Decker	Hayes	McKenzie	Strassburg
Blake	Demarest	Hornidge	McMaster	Townsend
Blanchfield	Dinehart	Hughes	Mead	Treadway
Blumenthal	Donaldson	Huntting	Mesick	Walters
Brown	Duffy	Husted	Moffitt	West
Bush, G. H.	Dunlap	Kelly	Mullaney	Whipple
Carson	Edwards	Kent	Murray	Young
Cheney	Endres	Kerrigan	Newschafer	Youngman
Clark, J.	Fish	Kimball	O'Neil	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

Mr. Speaker called from the table the report of the subcommittee of the whole (Assem. Doc. No. 99), in favor of the passage of the following entitled bills:

Int. 538, No. 665, "An act to amend section 351 of the Penal Code, relating to bets on horse races." [With amendments.]

Int. 296, No. 583, "An act to amend chapter 366 of the Laws of 1886, entitled 'An act to amend chapter 506 of the Laws of 1884, entitled An act to authorize Long Island City to create a fund to liquidate annual arrearages.'"

Int. 210, No. 544, "An act to amend chapter 48 of the Laws of 1878, entitled 'An act to authorize the transfer to the State of the Soldiers' Home and the appointment of a board of trustees for its completion and control.'"

Int. 358, No. 1003, "An act to amend the commissioners' map of the city of Brooklyn and to authorize the common council of said city to open and grade and pave certain streets in said city."

Mr Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bills ordered to a third reading, and referred to the committee on revision.

Mr. Peck, from the subcommittee of the whole, to which was referred the bill (Int. 879, No. 1011) entitled "An act authorizing railroad corporations which have purchased the right, franchise and privilege of using streets, roads, avenues, parks or public places at public auction for a percentage per annum of their gross receipts, to use the tracks of other railroad companies," reported the same for the consideration of the House, with amendments, which report was agreed to, and said bill restored to its place on general orders.

Mr. Husted offered for the consideration of the House a resolution, in the words following :

Resolved, That Senate bill, Rec. No. 287, entitled "An act in relation to local improvements in the town of Westchester," on the order of third reading, be now read the third time.

Said bill having been announced for a third reading,

On motion of Mr. Rhodes, and by unanimous consent, the same was amended as follows:

Section 1, line 2, strike out the name "Levi H. Mace" and insert the name "Francis A. Watson."

Section 2, line 4, after the word "thereof" insert the words "outside of the corporation limits of the village of Williamsbridge."

Same section, line 7, after the word "town" insert the words "outside of the corporation limits of said village."

Section 4, line 30, after the word "shall" strike out the words "an elector" and insert the words "a resident and freeholder" in place thereof.

Section 5, line 22, strike out the words "one hundred" after the word "of," and insert the word "eighty."

Section 6, line 4, after the word "exceed" strike out the word "five" and insert the word "four."

Section 7, line 3, after the word "Westchester" insert the words "outside of the corporate limits of the village of Williamsbridge."

Section 9, line 2, after the word "and" strike out the word "fifty" and insert the word "thirty-one."

Said bill, as amended, was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Haffner	Longley	Roesch
Adams	Cottrell	Haggerty	Martin	Saunders
Ainsworth	Cronin	Hayes	Maynard	Schaaff
Aspinall	Dante	Hughes	McCarren	Sheehan
Baker, A. B.	Decker	Hunting	McMaster	Smith, M. A.
Baker, A. H.	Demarest	Husted	Mesick	Sperry
Barton	Dinehart	Kelly	Moffitt	Stevens
Bauer	Donaldson	Kent	Moody	Treadway
Blanchfield	Duffy	Kerrigan	Mullaney	Upton
Blumenthal	Edwards	Kimball	Murray	Walters

Brown	Endres	King	Newschafer	West
Bush, G. H.	Fish	Lane	O'Neil	Whipple
Carson	Flaherty	Larmon	Pearsall	Yates
Cheney	Gallup	Lewis	Peck	Yetman
Clark, J.	Graham	Little	Rhodes	Young
Clarke, C. C.	Groat	Loder	Rice	Youngman
Comstock	Guenther			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. McCarren offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 1146, entitled "An act to amend section 13 of title 11 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' relating to the eligibility of persons to be appointed on the police force," now on the order of third reading, be read the third time on Friday morning after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. de Peyster offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 332, entitled "An act to amend chapter 713 of the Laws of 1887, entitled 'An act to amend chapter 483 of the Laws of 1885, entitled 'An act to tax gifts, legacies and collateral inheritances in certain cases,' " now on the order of third reading, be read the third time on Thursday evening.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The bill (No. 986) entitled "An act regulating the commitment, custody and discharge of the insane," having been announced for a third reading,

On motion of Mr. Gallup, and by unanimous consent, the same was amended as follows:

Section 6, line 10, after the word "mother" insert the word "wife."

Same section, line 15, strike out the word "impotent" and insert instead thereof the word "indigent."

Page 6, strike out the phrase "Penalties for neglect or cause" and insert instead thereof "Penalties for neglect or abuse."

Section 10, line 13, after the word "institution" insert the words "such opinion being concurred in in writing by the medical superintendent thereof."

Section 10, lines 17 and 20, strike out the word "clear."

Page 7, preceding section 11, insert the words "Return of superintendent."

Section 13, line 7, after the word "asylum" insert the words "or a committee thereof."

Section 17, line 2, after the word "insane" insert the words "or a committee thereof appointed for that purpose."

Section 18, line 8, strike out the word "two" and insert the word "five."

Section 19, line 2, after the word "patient" insert the words "who is a public charge."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Fitts	Loder	Saunders
Ainsworth	Crosby	Gallup	Martin	Sheldon
Baker, A. B.	Curtis	Graham	McAdam	Smith, T.
Baker, A. H.	Dante	Greene	McCarren	Stevens
Bauer	Davidson	Groat	McKenzie	Sullivan
Blake	Decker	Guenther	McMaster	Towne
Blanchfield	Demarest	Haffner	Mesick	Townsend
Blumenthal	de Peyster	Hagan	Moffitt	Treadway
Bush, G. H.	Dinehart	Haggerty	Mullaney	Van Gorder
Carson	Dinkelspiel	Hayes	Murray	Walters
Cheney	Duffy	Hunting	Nixon	West
Clarke, C. C.	Dunham	Husted	Peck	Whipple
Comstock	Dunlap	Kent	Rhodes	Yates
Connelly	Edwards	Larmon	Rice	Young
Coon	Endres	Lewis	Roesch	Youngman
Cottrell	Fish	Little	Ryan	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1175) entitled "An act to amend section 404 of the Penal Code, relating to sales of poisons," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Graham	McCann	Smith, M. A.
Adams	Curtis	Groat	McCarren	Smith, T.
Ainsworth	Dante	Haffner	McMaster	Sperry
Baker, A. B.	Davidson	Hagan	Mesick	Stevens
Bauer	Decker	Haggerty	Moffitt	Strassburg
Blake	Demarest	Hughes	Moody	Sullivan
Blanchfield	de Peyster	Hunting	Mullaney	Towne
Blumenthal	Dinehart	Husted	Murray	Townsend
Brown	Dinkelspiel	Kelly	Nixon	Treadway

Bush, G. H.	Donaldson	Kerrigan	O'Neil	Van Gorder
Carson	Duffy	Kimball	Pearsall	Walters
Cheney	Dunlap	King	Peck	West
Clark, J.	Edwards	Lane	Rice	Whipple
Connelly	Endres	Larmon	Roesch	Yates
Coon	Fish	Little	Ryan	Yetman
Cottrell	Fitts	Longley	Saunders	Young
Creamer	Gallup	Maynard	Schaaff	Youngman
Cronin	Gibbs	McAdam		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Whipple moved to take from the table the motion to reconsider the vote by which Assembly bill No. 820, entitled "An act further to amend chapter 542 of the Laws of 1880, entitled 'An act to provide for raising taxes for the use of the State upon certain corporations, joint-stock companies and associations,'" was lost.

Mr. Speaker put the question whether the House would agree to take from the table said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 72 }
{ NOES 3 }

Those who voted in the affirmative, were

Acker	Cronin	Groat	Maynard	Savery
Adams	Crosby	Haggerty	McKenzie	Saxton
Ainsworth	Curtis	Hughes	McMaster	Schaaff
Andrus	Dante	Hunting	Mead	Smith, M. A.
Aspinall	Decker	Husted	Moffitt	Stevens
Baker, A. B.	de Peyster	Kent	Murray	Tefft
Barton	Dinehart	Kimball	Nixon	Towne
Bauer	Dinkelspiel	Lane	O'Neil	Van Gorder
Blanchfield	Donaldson	Larmon	Pearsall	Walters
Brown	Duffy	Lewis	Peck	West
Carson	Dunham	Little	Rhodes	Whipple
Clark, J.	Endres	Loder	Rice	Yates
Clarke, C. C.	Fitts	Longley	Ryan	Yetman
Comstock	Gallup	Martin	Saunders	Youngman
Coon	Greene			

Those who voted in the negative, were

Hagan Mullaney Sullivan

The vote by which said bill was lost having been reconsidered, Mr. Husted moved to amend by striking out all after the enacting clause and inserting the following:

SECTION 1. Chapter 361 of the Laws of 1881, entitled "An act to amend chapter 542 of the Laws of 1880, entitled 'An act to provide

for raising taxes for the use of the State upon certain corporations, joint-stock companies and associations,' is hereby further amended by adding thereto two additional sections, to be called sections 19 and 20, to read as follows:

§ 19. The Comptroller may at any time revise and readjust any account theretofore settled against any person, association, corporation or joint-stock company by himself or any preceding Comptroller for taxes arising under this act or the act to which it is an amendment, whenever it shall be made to appear by evidence submitted to him that the same has been illegally paid or so made as to include taxes which could not have been lawfully demanded, and shall resettle the same according to law and the facts, and charge or credit as the case may require the difference, if any, resulting from such revision and resettlement upon the current accounts of such person, association, corporation or joint-stock company.

§ 20. The action of the Comptroller upon any application made to him by any person or corporation for a revision and resettlement of accounts as provided in this act may be reviewed, both upon the law and the facts upon certiorari by the Supreme Court, at the instance either of the party making such application or of the Attorney-General in the name and in behalf of the people of this State, and for that purpose the Comptroller shall return to such certiorari the accounts and all the evidence submitted to him on such application, and if the original or resettled accounts shall be found erroneous or illegal by that court, either in point of law or of fact, the said accounts shall be there corrected and restated by the said Supreme Court, and from any such determination of the Supreme Court an appeal may be taken by either party to the Court of Appeals, as in other cases.

§ 2. This act shall take effect immediately.

Amend the title so as to read as follows:

"An act further to amend chapter 361 of the Laws of 1881, entitled 'An act to amend chapter 542 of the Laws of 1880, entitled An act to provide for raising taxes for the use of the State upon certain corporations, joint-stock companies and associations.'"

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Sheehan moved to amend by inserting as section 2 the following:

"§ 2. None of the provisions of this act shall apply to any taxes heretofore paid by any person or corporation in pursuance of a judgment, or order of a court, or by virtue of any stipulation."

Change "§ 2" to "§ 3."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 76 }
 { NOES 13 }

Those who voted in the affirmative, were

Acker	Crosby	Haggerty	Mead	Schaaff
Adams	Davidson	Hamilton	Miley	Smith, C.
Ainsworth	Decker	Hughes	Miller	Smith, M. A.
Andrus	Demarest	Hunting	Moffitt	Stevens
Baker, A. B.	de Peyster	Husted	Moody	Tefft
Baker, A. H.	Dinehart	Kimball	Murray	Towne
Barton	Dinkelspiel	Lane	Newschafer	Townsend
Bauer	Donaldson	Le Roy	Nixon	Upson
Bush, G. H.	Duffy	Lewis	O'Neil	Van Gorder
Carson	Dunlap	Little	Pearsall	Walters
Clark, J.	Edwards	Loder	Peck	West
Clarke, C. C.	Fitts	Longley	Ryan	Whipple
Comstock	Gallup	Maynard	Saunders	Yates
Coon	Greene	McAdam	Savery	Yetman
Creamer	Groat	McMaster	Saxton	Youngman
Cronin				

Those who voted in the negative, were

Blake	Cottrell	Haffner	Martin	Sheehan
Blumenthal	Endres	Hagan	Roesch	Sullivan
Connelly	Fish	Kerrigan		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Creamer offered for the consideration of the House a resolution, in the words following:

Resolved, That Senate bill No. 608, entitled "An act to regulate the custody and disbursement of elevated railway income percentage special tax receipts in certain cases" (Rec. No. 296), now on the order of third reading, be read the third time on Friday morning.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Hughes offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 619, entitled "An act to authorize the repairing of the damage to a public highway leading from the village of Castorland to the bridge over the Black river in the town of Denmark, in the county of Lewis, caused by the overflow of said river, by reason of the State dam thereon, and to so alter said highway as to prevent future damages from said cause, and making an appropriation therefor," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

On motion of Mr. Flaherty, and by unanimous consent, the Senate bill (Rec. No. 201) entitled "An act to amend chapter 69 of the Laws of 1859, entitled 'An act to amend and consolidate the several acts relative to the village of Potsdam, as amended by chapter 177 of the Laws of 1886, and as amended by chapter 4 of the Laws of 1887, and as amended by chapter 711 of the Laws of 1870, and as amended by chapter 16 of the Laws of 1883, and as amended by chapter 206 of the Laws of 1885, and as amended by chapter 18 of the Laws of 1887, and as amended by chapter 8 of the Laws of 1888,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Decker	Haffner	Mead	Smith, M. A.
Andrus	Demarest	Haggerty	Miley	Smith, T.
Baker, A. B.	de Peyster	Harwood	Moffitt	Sperry
Baker A. H.	Dinehart	Hayes	Moody	Stevens
Barton	Dinkelspiel	Hornidge	Murray	Sullivan
Bauer	Donaldson	Hughes	Newschafer	Towne
Blanchfield	Dunham	Hunting	Nixon	Treadway
Blumenthal	Dunlap	Kent	O'Neil	Upton
Carson	Edwards	Kerrigan	Pearsall	Van Gorder
Comstock	Endres	Kimball	Peck	Walters
Connelly	Enz	Lane	Rhodes	West
Coon	Fitts	Lewis	Roesch	Whipple
Cottrell	Flaherty	Little	Saunders	Yates
Creamer	Gallup	Loder	Savery	Yetman
Cronin	Gibbs	Longley	Saxton	Young
Curtis	Graham	Martin	Sheldon	Youngman
Davidson	Groat	McKenzie	Smith, C.	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 332) entitled "An act to amend chapter 483 of the Laws of 1885, entitled 'An act to tax gifts, legacies and collateral inheritances in certain cases,' as amended by chapter 713 of the Laws of 1887," having been announced for a third reading,

Mr. Roesch moved to amend the same by striking out in line 17, printed bill, the words "nephew, niece."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. de Peyster moved to reconsider the vote by which said amendment was adopted.

Mr. Hamilton moved to commit said bill to the committee on ways and means, retaining its place on the order of third reading.

Mr. Whipple moved to amend said motion by adding "with instruction to strike out the enacting clause."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Whipple, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Hamilton, and it was determined in the affirmative.

On motion of Mr. Hamilton, Assembly bill No. 880, entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' and the acts amendatory thereof, relating to the police pension fund," was ordered read the third time.

Said bill having been announced for a third reading,

Mr. Hamilton moved to strike out all after the enacting clause and insert the following:

SECTION 1. Section 37 of chapter 410 of the Laws of 1882, entitled "An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York is hereby amended so as to read as follows:

§ 37. The head of the police department shall be called the board of police. Said board shall consist of two persons. One of said commissioners shall be selected from the political party which at the last general election for Governor cast for its candidate for Governor the greatest number of votes, and the other of said commissioners shall be selected from the political party which at the last general election for Governor cast the next greatest number of votes for its candidate for Governor, and shall be known as police commissioners of the city of New York and who shall, unless sooner removed, hold their offices for six years or until their successors shall be respectively appointed and have qualified. And the successor of any police commissioner shall be appointed from the political party from which the appointment was originally made in such manner that the two commissioners constituting said board of police shall be of different political faith. The said commissioners shall be appointed on or before the 10th day of May, 1889. The term of office, and the powers, duties and authority of the commissioners constituting the board of police at the time of such appointment shall wholly cease and terminate upon the appointment and qualification of the commissioners of police appointed as herein provided. The said board of police so appointed shall have and possess all the powers and authority and be subject to all the duties and obligations conferred or imposed upon the present board of police under existing laws.

§ 2. Section 52 of said act is hereby amended so as to read as follows:

§ 52. The annual salaries to be paid to persons herein named and elected or appointed to the several specified positions, shall, from and after their entrance upon their duties, be as follows, and such salaries shall be in full for all services rendered by them to the city or county in any capacity whatever:

To the mayor, \$10,000.

To the comptroller, \$10,000.

To the commissioner of public works, \$8,000.

To the corporation counsel \$12,000, and all legal costs collected by him, shall be paid into the treasury of the city.

To the commissioners of police, \$7,000 each.

To the commissioners of the department of parks, \$5,000 each.

To the commissioners of the fire department, \$5,000 each.

To the commissioners of the department of charities and corrections, \$5,000 each.

To the corporation attorney, the public administrator, and the attorney for the collection of arrears of personal taxes, \$4,000 each.

To the attorney for the fire department, \$4,000.

To the president of the health department, \$5,000.

To the commissioners of the health department other than the president, \$4,000.

To the president of the board of aldermen, \$3,000.

To the members of the board of aldermen, other than the president, \$2,000 each.

To the president of the department of taxes and assessments, \$5,000.

To the commissioners of the department of taxes and assessments other than the president, \$4,000.

To the commissioners of the department of docks, \$3,000 each.

To the commissioner of street cleaning, \$6,000.

To the commissioners of accounts, appointed by the mayor, \$5,000 each.

No subordinate in any department shall receive a salary in excess of the highest salary paid to the head of the department, except that the chief engineer of docks and the superintendent of police may each receive a salary not exceeding \$6,000.

But there shall continue to be paid to the persons who hold the following specified positions on May 28, 1880, during the remainder of the terms held by them so long as they retain the same, annual salaries as follows, which shall be in full for all services rendered by them to the city or county in any capacity whatever:

To the commissioners of police, \$6,000 each.

To the president of the health department, \$6,500.

To the commissioner of health, other than the president, \$5,000.

To the commissioners of taxes and assessments, \$5,000 each.

To the commissioners of accounts, appointed by the mayor, \$3,000 each.

§ 2. This act shall take effect immediately.

Amend the title so as to read as follows:

"An act to amend sections 37 and 52 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York.'"

Mr. Gibbs moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Hamilton, and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 8 }

Those who voted in the affirmative, were

Acker	Connelly	Gallup	Maynard	Sheehan
Adams	Coon	Gibbs	McAdam	Smith, M. A.
Ainsworth	Cottrell	Groat	McKenzie	Smith, T.
Andrus	Creamer	Haffner	McMaster	Sperry
Aspinall	Crosby	Hagan	Moffitt	Stevens
Baker, A. B.	Dante	Hamilton	Moody	Strassburg
Baker, A. H.	Davidson	Hayes	Mullaney	Sullivan
Barton	Decker	Hughes	Newschafer	Towne
Bauer	de Peyster	Hunting	Nixon	Townsend
Blake	Dinehart	Husted	Pearsall	Treadway
Blumenthal	Donaldson	Kimball	Peck	Upson
Brown	Duffy	King	Rhodes	Van Gorder
Bush, G. H.	Dunlap	Lane	Roesch	Walters
Carson	Edwards	Larmon	Saunders	West
Cheney	Enz	Le Roy	Savery	Whipple
Clark, J.	Fish	Lewis	Saxton	Yates
Clarke, C. C.	Fitts	Little	Schaaff	Youngman
Comstock	Flaherty	Loder		

Those who voted in the negative, were

Dinkelspiel	Hornidge	Martin	Miller	Rice
Guenther	Kerrigan	Miley		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Cheney gave notice that at some future day he would move to suspend Rule 44, for the purpose of reading out of its order Senate bill No. 466, entitled "An act to authorize the city of Syracuse to acquire, construct, maintain and operate a system of water works to supply said city and its inhabitants with water, and to issue its bonds in payment therefor, and to create a board of water commissioners in and for said city."

The bill (No. 1104) entitled "An act reappropriating a certain unexpended balance, and authorizing the superintendent of public works to expend the same in dredging and excavating the channel of Seneca river and the old Bear race in the village of Waterloo, and providing for the release to the State by the owner of lands in the channel of said race, the right to use the same for canal purposes only," having been announced for a third reading,

Mr. Acker moved to amend the same by striking out in section 1, line 15, all after the word "race."

Mr. Cronin moved the previous question.

Mr. Speaker put the question "Shall the main question be now put," and it was determined in the affirmative.

Mr. Speaker then put the question on the motion of Mr. Acker, and it was determined in the negative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
{ NOES 6 }

Those who voted in the affirmative, were

Adams	Cottrell	Guenther	Martin	Sheehan
Ainsworth	Cronin	Haffner	Maynard	Smith, M. A.
Andrus	Dante	Hagan	McCarren	Smith, T.
Aspinall	Davidson	Haggerty	Mead	Sperry
Baker, A. B.	Decker	Hayes	Miley	Stevens
Baker, A. H.	Demarest	Hornidge	Miller	Strassburg
Bauer	de Peyster	Hughes	Moffitt	Tefft
Blake	Dinehart	Hunting	Moody	Townsend
Blanchfield	Dinkelspiel	Kelly	Murray	Treadway
Blumenthal	Duffy	Kent	Newschafer	Upson
Brown	Edwards	Kimball	Nixon	Van Gorder
Bush, G. H.	Endres	King	O'Neil	Walters
Carson	Enz	Lane	Pearsall	West
Cheney	Fish	Larmon	Peck	Whipple
Clark, J.	Fitts	Le Roy	Rhodes	Yates
Clarke, C. C.	Gibbs	Lewis	Roesch	Yetman
Comstock	Graham	Little	Ryan	Young
Connolly	Greene	Loder	Savery	Speaker
Coon	Groat	Longley	Schaaft	

For the negative,

Acker	Hamilton	McCann	McKenzie	McMaster
Gallup				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Kent offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 585, entitled "An act to amend chapter 314 of the Laws of 1874, entitled 'An act to establish a board of police and fire commissioners of the city of Utica,'" for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Roesch offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly

bill No. 502, entitled "An act to amend section 11 of chapter 84 of the Laws of 1887, entitled 'An act to amend chapter 410 of the Laws of 1882, entitled An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in relation to the powers, duties and health fund of the board of health and health department of the city of New York, and for the preservation of the public health," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

On motion of Mr. Mullaney, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill (No. 1197) entitled "An act to amend section 773 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,'" and the same was ordered to a third reading, and to be read the third time April twenty-sixth.

Mr. Yates offered for the consideration of the House a resolution, in the words following:

Resolved, That Senate bill No. 565, entitled "An act to amend an act entitled 'An act for the better security of mechanics, laborers and others who perform labor or furnish materials for buildings and other improvements in the several cities and counties of this State, and to repeal certain acts and parts of acts,'" be read the third time on Monday May seventh, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Husted offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 716, entitled "An act to authorize the board of trustees of the village of Peekskill to purchase real estate and erect a building thereon for the use of the fire department of said village, and to issue bonds therefor," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Guenther offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 448, entitled "An act to legalize certain proceedings of the common council and officers of the city of Buffalo," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Walters offered for the consideration of the House a resolution, in the words following :

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 592, entitled "An act to authorize the Board of Claims to hear, audit and determine the claim or claims of William Fuller & Sons against the State, and to make an award therefor," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Coon offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill, Int. No. 1136, entitled "An act to amend chapter 463 of the Laws of 1860, entitled 'An act to revise the charter of the city of Oswego,' and the acts amendatory thereof," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Graham offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 661, entitled "An act in relation to summary proceedings to remove monthly tenants in the city of Brooklyn for holding over," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. J. Clark offered for the consideration of the House a resolution, in the words following:

Resolved, (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill Int. No. 1175, entitled "An act to amend and revise chapter 540 of the Laws of 1884, entitled 'An act to revise, consolidate and amend the several acts constituting the charter of the village of Mt. Morris,' for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Cottrell offered for the consideration of the House a resolution, in the words following:

Resolved, That Senate bill No. 190, entitled "An act to provide for the organization and regulation of natural gas companies, being 'An act supplemental to chapter 611 of the Laws of 1875, entitled An act to provide for the organization and regulation of certain business corporations,'" now on the order of third reading, be read the third time to-morrow morning, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Little offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 928, entitled "An act to amend chapter 120 of the Laws of 1886, entitled 'An act to revise the charter of the city of Lockport,' as amended by chapter 364 and chapter 571 of the Laws of 1887, and chapter 201 of the Laws of 1888," now on the order of third reading, be read the third time at 12 o'clock to-morrow.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Sperry offered for the consideration of the House a resolution, in the words following:

Resolved, That Senate bill No. 441, entitled "An act to create two additional local inferior courts in the city of Brooklyn," now on the order of third reading, be read the third time on Monday evening, May sixth, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Graham offered for the consideration of the House a resolution, in the words following:

Resolved, That Senate bill No. 325, entitled "An act to alter the commissioners' map of the city of Brooklyn by reducing the width of East New York avenue and establishing the same upon the lines thereof laid down by the commissioners appointed pursuant to the provisions of chapter 146 of the Laws of 1860," now on the order of third reading, be read the third time to-morrow morning.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Larmon gave notice that at some future time he would move to suspend Rules 26 and 44, for the purpose of ordering Assembly bill No. 1082, entitled "An act for the assessment and equalization of real and personal property," now in general orders, to a third reading, and reading the same out of its order.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 620, entitled "An act to amend an act entitled 'An act to amend chapter 574 of the Laws of 1873, entitled An act to incorporate the Old Guard of the city of New York' (Rec. No. 267), for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the following entitled bill:

"An act to amend subdivision 10 of section 1081 of the Code of Civil Procedure, relating to jurors and courts of record" (Rec. 320), which was read the first time and by unanimous consent was also read the second time.

On motion of Mr. Speaker, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and committed to the committee on the judiciary, retaining its place on the order of third reading.

Mr. Longley offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 600, entitled "An act to provide for certain improvements in the Eighth ward of the city of Brooklyn," now on the order of third reading, be read the third time to-morrow morning, at 11 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The hour of 10 o'clock having arrived, the House adjourned.

FRIDAY, APRIL 26, 1889.

The House met pursuant to adjournment.

Prayer by Rev. William H. Thomas.

On motion of Mr. Endres, the journal of yesterday was approved without being read.

Mr. Endres offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 59, entitled "An act to amend section 8 of title 2 and section 7 of title 3 of chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,' and the several acts amendatory thereof, relating to the election districts of said city," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Endres offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 379, entitled "An act to amend section 4 of title 13 of chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo and the several acts amendatory thereof relating to the Buffalo fire department,' for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Moffit called from the table the bill (No. 94) entitled "An act making an appropriation for the Northern New York Institution for Deaf-Mutes."

The question recurring upon reconsidering the vote by which said bill was passed,

Mr. Moffit offered the following:

Resolved (if the Senate concur), That the bill entitled "An act making an appropriation for the Northern New York Institution for Deaf-Mutes," be returned to the Governor without amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That George E. Smith be and hereby is appointed messenger to the special committee appointed on the part of the Legislature to attend the centennial celebration of the inauguration of George Washington as the first President of the United States.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 570, entitled "An act to empower the trustees of the Willard Asylum for the Insane to grant a right of way to the Geneva and Van Ettenville Railway Company through the lands of the State appurtenant to said asylum and under the charge and management of said trustees" (Rec. No. 254), for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 575, entitled "An act to amend chapter 280 of the Laws of 1879, entitled 'An act to abolish the New York State Inebriate Asylum and to establish the Binghamton Asylum for the Chronic Insane and to provide for the management thereof,' and the acts amendatory thereof" (Rec. No. 231) for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor requesting the return to the Senate of Senate bill No. 396, entitled "An act to amend chapter 192 of the Laws of 1880, entitled 'An act to incorporate the German Masonic Temple Association of the city of New York'" (Rec. No. 157), for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 628, entitled "An act to amend chapter 65 of the Laws of 1886, entitled 'An act to secure adequate compensation for the right to construct, maintain, use, operate or extend street railroads in cities and villages,' as amended by section 2 of chapter 622 of the Laws of 1887" (Rec. No. 298), for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 132, entitled "An act to amend section 1768 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interest in the city of New York'" (Rec. No. 55), for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor requesting the return to the Senate of Senate bill No. 117, entitled "An act to incorporate the Monticello and Fallsburgh Turnpike Road Company" (Rec. No. 32), for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 496, entitled "An act to provide for the erection of an armory in the county of Kings for the Thirteenth regiment, National Guard, State of New York, and making an appropriation therefor, and for the acquisition by the county by cession by the city of Brooklyn and authorizing such cession, or by purchase and making an appropriation therefor, also to provide for the taking of real estate for such site by commission in case the same cannot be taken by agreement" (Rec. No. 192), for the purpose of amendment.

Mr Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The privileges of the floor were extended to Hons. Fred. Stillman, Everett P. Wheeler and S. D. Locke.

Mr. Stevens offered for the consideration of the House, a resolution, in the words following:

Resolved, That hereafter no member shall speak more than five minutes upon the passage of any bill.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Sullivan offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 1113, entitled "An act to provide for the erection and maintenance of a free public bathing-house in the city of New York," now on the order of third reading, be read the third time on Monday night, May sixth, at 9 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Andrus offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 605, entitled "An act to amend chapter 409 of the Laws of 1886, as amended by chapter 462 of the Laws of 1887, entitled 'An act to regulate the employment of women and children in manufacturing establishments and to provide for the appointment of inspectors to enforce the same,'" now on the order of third reading, be read the third time to-day.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Greene offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 1073, entitled "An act to repeal subdivision 11 of section 75 of chapter 6 of title 3 of part 2 of the Revised Statutes, relating to the distribution of personal estates of intestates among relatives," now on the order of third reading, be read the third time to-day at 12 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Connelly offered for the consideration of the House a resolution in the words following:

Resolved, That Assembly bill (not printed) entitled "An act to change the name of the Manhattan Dispensary in the city of New York," now on the order of third reading, be read the third time on Monday evening, May sixth, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill (No. 1209) entitled "An act to amend chapter 396 of the Laws of 1885, entitled 'An act to revise the charter of the city of Dunkirk,'" having been announced for a third reading,

On motion of Mr. Towne, and by unanimous consent, the same was amended as follows:

Section 8, line 132, strike out the words "through which no steam or street railroad runs."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Graham	Lewis	Saunders
Adams	Curtis	Greene	Little	Saxton
Ainsworth	Decker	Groat	Loder	Schaaff
Andrus	Demarest	Guenther	Martin	Sheehan
Baker, A. B.	de Peyster	Haffner	McAdam	Sheldon
Baker, A. H.	Dinehart	Hagan	McCarren	Smith, A. M.
Barton	Dinkelspiel	Haggerty	McKenzie	Smith, T.
Bauer	Donaldson	Hamilton	McMaster	Sperry
Blake	Duffy	Hayes	Mesick	Stevens
Blanchfield	Dunham	Hughes	Murray	Van Gorder
Blumenthal	Dunlap	Hunting	Pearsall	Walters
Brownell	Endres	Kent	Peck	West
Bush, G. H.	Enz	Kimball	Rhodes	Whipple
Carson	Fish	Lane	Rice	Yetman
Clarke, C. C.	Fitts	Larmon	Roesch	Young
Comstock	Flaherty	Le Roy	Ryan	Youngman
Coon	Gallup			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Kerrigan offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 1150, entitled "An act to provide for the change of the name of the Foundling Asylum of the Sisters of Charity in the city of New York," now on the order of third reading be read the third time to-day.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill (No. 1197) entitled "An act to amend section 773 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,'" was read the third time.

Mr. Speaker, put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
{ NOES 3 }.

Those who voted in the affirmative, were

Acker	Creamer	Greene	Mase	Roesch
Adams	Curtis	Groat	Maynard	Ryan
Ainsworth	Dante	Guenther	McAdam	Saunders
Andrus	Davidson	Haffner	McCarren	Savery
Baker, A. B.	Demarest	Hagan	McKenzie	Saxton
Baker, A. H.	de Peyster	Haggerty	McLaughlin	Schaaff
Barton	Dinehart	Hornidge	McMaster	Smith, M. A.
Bauer	Dinkelspiel	Hughes	Mead	Smith, T.
Blake	Donaldson	Hunting	Mesick	Stevens
Blanchfield	Duffy	Husted	Miller	Strassburg
Blumenthal	Dunham	Kent	Moody	Sullivan
Brownell	Dunlap	Kerrigan	Murray	Townsend
Bush, G. H.	Edwards	Lane	Newschafer	Upson
Carson	Endres	Le Roy	Nixon	West
Clarke, C. C.	Enz	Lewis	O'Neil	Whipple
Comstock	Fish	Little	Peck	Yetman
Connelly	Fitts	Loder	Rhodes	Youngman
Cottrell	Flaherty	Longley	Rice	Speaker

Those who voted in the negative, were

Crosby Gallup Hayes

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1179) entitled "An act to provide for certain improvements in the Eighth ward, in the city of Brooklyn," was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Fitts	Longley	Schaaff
Adams	Connelly	Flaherty	Martin	Smith, M. A.
Ainsworth	Coon	Greene	McCarren	Smith, T.
Andrus	Curtis	Groat	McLaughlin	Sperry
Aspinall	Decker	Guenther	McMaster	Stevens
Baker, A. B.	Demarest	Haffner	Mesick	Strassburg
Baker, A. H.	Dinehart	Hamilton	Moody	Sullivan
Barton	Dinkelspiel	Hughes	Murray	Towne
Bauer	Donaldson	Hunting	Newschafer	Townsend
Blanchfield	Duffy	Kimball	Pearsall	Upson
Blumenthal	Dunham	King	Rice	Walters
Brown	Dunlap	Lane	Roesch	West
Brownell	Edwards	Le Roy	Ryan	Whipple

Bush, G. H.	Endres	Lewis	Savery	Yetman
Carson	Enz	Little	Saxton	Youngman
Clarke, C. C.	Fish	Loder		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1146) entitled "An act to amend section 13 of title 11 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' relating to expense of police and excise departments," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, three-fifths being present.

{ AYES	79 }
{ NOES	2 }

Those who voted in the affirmative, were

Acker	Comstock	Flaherty	Longley	Roesch
Adams	Connelly	Gibbs	Martin	Ryan
Ainsworth	Coon	Graham	Mase	Saunders
Andrus	Cottrell	Greene	Maynard	Savery
Aspinall	Creamer	Groat	McCarren	Saxton
Baker, A. B.	Curtis	Guenther	McMaster	Sheldon
Baker, A. H.	Dante	Haffner	Mead	Smith, M. A.
Barton	Demarest	Hagan	Mesick	Sperry
Bauer	Dinehart	Haggerty	Moody	Stevens
Blake	Dinkelspiel	Hamilton	Newschafer	Strassburg
Blanchfield	Donaldson	Hughes	Nixon	Sullivan
Blumenthal	Duffy	Kent	O'Neil	Van Gorder
Brown	Dunlap	Kerrigan	Pearsall	Walters
Bush, G. H.	Endres	Kimball	Peck	West
Carson	Enz	Lane	Rhodes	Whipple
Clarke, C. C.	Fitts	Larmon	Rice	

Those who voted in the negative, were

Crosby de Peyster

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 545) entitled "An act to amend chapter 479 of the Laws of 1887, entitled 'An pact rescribing the period in each year during which and the terms under which racing may take place upon the grounds of associations incorporated for the purpose of improving the breed of horses, and suspending the operation of certain sections of the Penal Code'" having been announced for a third reading,

On motion of Mr. McMaster, and by unanimous consent, the same was amended as follows:

Amend the title by striking out the words "pact rescribing" and inserting the words "act prescribing."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 3 }

Those who voted in the affirmative, were

Acker	Creamer	Graham	Loder	Rice
Adams	Cronin	Groat	Longley	Roesch
Ainsworth	Curtis	Guenther	McAdam	Ryan
Baker, A. B.	Dante	Haffner	McKenzie	Saunders
Baker, A. H.	Decker	Hagan	McLaughlin	Savery
Barton	de Peyster	Hamilton	McMaster	Saxton
Blanchfield	Dinehart	Harwood	Mead	Schaaff
Blumenthal	Donaldson	Hayes	Miller	Sheehan
Brown	Dunham	Hornidge	Moffitt	Smith, T.
Bush, G. H.	Dunlap	Hughes	Moody	Sperry
Cheney	Edwards	Hunting	Newschafer	Stevens
Clark, J.	Endres	Kent	Nixon	Townsend
Comstock	Enz	Kimball	O'Neil	Walters
Connelly	Fish	Lane	Peck	West
Coon	Fitts	Le Roy	Rhodes	Youngman
Cottrell	Flaherty	Little		

Those who voted in the negative, were

Crosby Dinkelspiel King

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 308) entitled "An act to amend chapter 420 of the Laws of 1880, entitled 'An act to amend chapter 123 of the Laws of 1874, entitled An act to amend the charter of The Hudson Suspension Bridge and New England Railway Company'" (Rec. No. 112), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 3 }

Those who voted in the affirmative, were

Acker	Cronin	Gibbs	Lane	O'Neil
Adams	Curtis	Graham	Larmon	Pearsall
Ainsworth	Dante	Greene	Lewis	Peck
Aspinall	Davidson	Groat	Little	Roesch
Baker, A. B.	Decker	Guenther	Longley	Saunders
Baker, A. H.	Demarest	Haffner	McAdam	Saxton
Bauer	De Peyster	Haggerty	McKenzie	Schaaff
Blake	Dinehart	Hamilton	McLaughlin	Stevens
Blanchfield	Dinkelspiel	Harwood	McMaster	Strassburg
Brown	Donaldson	Hayes	Mead	Sullivan
Carson	Duffy	Hornidge	Mesick	Towne
Cheney	Dunham	Hughes	Moffitt	Townsend
Clarke, C. C.	Dunlap	Hunting	Moody	Walters

Comstock	Fish	Kent	Newschafer	Whipple
Coon	Fitts	Kimball	Nixon	Yetman
Cottrell	Flaherty	King		

Those who voted in the negative, were

Blumenthal	Connolly	Crosby
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Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. C. C. Clark offered for the consideration of the House a resolution, in the words following :

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 171, entitled "An act to supply and correct certain defects and omissions in the certificate of incorporation of the religious society known as 'St. Paul's African Methodist Episcopal Church,' in Morrisania, Westchester county," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The bill (No. 974) entitled "An act to secure and promote the purity of the ballot," having been announced for a third reading,

Mr. Hamilton moved to amend by adding as section 7, the following:

"§ 7. Nothing in this act shall apply to the county of New York."

Change "§ 7" to "§ 8."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Cottrell moved to amend by striking out in line 10, engrossed bill, the word "twenty-five" and inserting the word "five."

Mr. Sullivan moved to amend by striking out the word "dollars," and inserting the word "cents."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Sullivan, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Cottrell, as amended, and it was determined in the affirmative.

Mr. Crosby moved the previous question.

Mr. Speaker put the question "Shall the main question be now put," and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 5 }
{ NOES 67 }

Those who voted in the affirmative, were

de Peyster	Dinkelspiel	Dunham	Ryan	Sullivan
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Those who voted in the negative, were

Acker	Creamer	Guenther	Little	Nixon
Andrus	Cronin	Haffner	Loder	Pearsall

Aspinall	Crosby	Hagan	Martin	Peck
Baker, A. B.	Donaldson	Hamilton	Maynard	Rhodes
Bauer	Duffy	Hayes	McAdam	Rice
Blake	Dunlap	Hornidge	McCarren	Roesch
Blanchfield	Edwards	Hughes	McKenzie	Schaaff
Blumenthal	Endres	Huntting	McMaster	Sheehan
Brownell	Enz	Husted	Mead	Sheldon
Bush, G. H.	Fish	Kent	Mesick	Sperry
Carson	Gibbs	Kerrigan	Miley	Townsend
Connelly	Graham	King	Moody	West
Coon	Greene	Lewis	Murray	Whipple
Cottrell	Groat			

The Senate returned the bill entitled "An act to reappropriate certain unexpended balances of former appropriations" (No. 294), with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, line 3, strike out the word "subjects" and insert the word "objects."

Same section, line 4, strike out the word "objects" and insert the word "subject;" also, strike out the word "of," first occurring, and insert the word "to."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Dunlap	Kerrigan	Nixon
Adams	Connelly	Edwards	Kimball	Peck
Andrus	Coon	Enz	Lane	Rhodes
Aspinall	Cottrell	Fish	Larmon	Roesch
Baker, A. B.	Creamer	Fitts	Lewis	Ryan
Baker, A. H.	Cronin	Gibbs	Longley	Saunders
Barton	Crosby	Graham	Martin	Savery
Bauer	Dante	Greene	Maynard	Schaaff
Blake	Davidson	Groat	McAdam	Sheldon
Blanchfield	Decker	Haggerty	McCarren	Strassburg
Blumenthal	Demarest	Hamilton	Mead	Towne
Brownell	Dinehart	Harwood	Miley	Upson
Bush, G. H.	Dinkelspiel	Hayes	Moffitt	Whipple
Carson	Donaldson	Hornidge	Moody	Yetman
Cheney	Duffy	Hughes	Murray	Youngman
Clark, J.	Dunham	Huntting	Newschafer	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

In accordance with notice previously given, and unanimous consent having been refused,

Mr. Cheney moved to suspend Rule 44, for the purpose of reading the third time, out of its order, Senate bill No. 466, entitled "An act to authorize the city of Syracuse to acquire, construct, maintain and operate a system of water-works to supply said city and its inhabitants with water, and to issue its bonds in payment therefor, and to create a board of water commissioners in and for said city." (Rec. No. 301).

Mr. Speaker put the question whether the House would agree to said motion to suspend Rule 44, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }
{ NOES 11 }

Those who voted in the affirmative, were

Acker	Crönin	Graham	Little	Saunders
Adams	Crosby	Greene	Martin	Saxton
Ainsworth	Dante	Groat	McKenzie	Smith, C.
Aspinall	Davidson	Hagan	McMaster	Smith, T.
Baker, A. B.	Decker	Haggerty	Mead	Sperry
Barton	Demarest	Hamilton	Mesick	Stevens
Bauer	de Peyster	Harwood	Miley	Strassburg
Blumenthal	Dinehart	Hayes	Miller	Sullivan
Brown	Dinkelspiel	Hornidge	Murray	Towne
Carson	Donaldson	Hughes	Nixon	Townsend
Cheney	Duffy	Hunting	O'Neil	Upson
Clark, J.	Dunham	Kerrigan	Pearsall	Van Gorder
Clarke, C. C.	Dunlap	Kimball	Peck	Walters
Comstock	Enz	Lane	Rhodes	West
Connelly	Fish	Larmon	Rice	Whipple
Cottrell	Flaherty	Le Roy	Roesch	Yetman
Creamer	Gibbs	Lewis	Ryan	Speaker

Those who voted in the negative, were

Andrus	Blanchfield	Endres	Guenther	Sheehan
Baker, A. H.	Bush, G. H.	Gallup	Maynard	Youngman
Blake				

Said bill having been announced for a third reading,

Mr. Andrus moved to strike out section 18.

Mr. Crosby moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Andrus, and it was determined in the negative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, three-fifths being present.

{ AYES 96 }
{ NOES 15 }

Those who voted in the affirmative, were

Acker	Curtis	Hagan	McCarren	Saunders
Adams	Dante	Haggerty	McKenzie	Saxton
Ainsworth	Decker	Hamilton	McLaughlin	Schaaff
Aspinall	Demarest	Harwood	McMaster	Smith, C.
Baker, A. B.	de Peyster	Hayes	Mead	Smith, M. A.
Barton	Dinehart	Hornidge	Mesick	Smith, T.
Bauer	Dinkelspiel	Hughes	Miley	Sperry
Blake	Donaldson	Hunting	Miller	Stevens
Blanchfield	Duffy	Kent	Moffit	Strassburg
Blumenthal	Dunham	Kerrigan	Moody	Sullivan
Brown	Dunlap	Kimball	Murray	Towne
Brownell	Enz	King	Newschafer	Townsend
Carson	Fish	Larmon	Nixon	Upson
Cheney	Flaherty	Le Roy	O'Neil	Van Gorder
Clark, C. C.	Gibbs	Lewis	Pearsall	Walters
Connolly	Graham	Loder	Peck	West
Cottrell	Greene	Longley	Rhodes	Whipple
Creamer	Groat	Martin	Roesch	Yetman
Cronin	Haffner	Mase	Ryan	Speaker
Crosby				

Those who voted in the negative, were

Andrus	Davidson	Fitts	Little	Sheehan
Baker, A. H.	Edwards	Gallup	Maynard	Tefft
Bush, G. H.	Endres	Guenther	Savery	Youngman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (Rec. No. 316), entitled "An act to authorize the mayor, aldermen and commonalty of the city of New York to provide for the expense of the participation by the veteran firemen's association of the city of New York in the celebration of the centennial anniversary of the inauguration of George Washington as first President of the United States," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Clarke, C. C.	Enz	Lewis	Pearsall
Adams	Comstock	Graham	Little	Peck
Ainsworth	Connolly	Greene	Loder	Rice
Aspinall	Coon	Groat	Longley	Roesch
Baker, A. B.	Cottrell	Guenther	Martin	Ryan

Baker, A. H.	Creamer	Haffner	McCarren	Savery
Barton	Cronin	Hagan	McKenzie	Sheehan
Bauer	Curtis	Hamilton	McMaster	Smith, M. A.
Blake	Decker	Hayes	Mead	Smith, T.
Blanchfield	Demarest	Hughes	Miley	Stevens
Blumenthal	Dinehart	Hunting	Moffitt	Strassburg
Brown	Dinkelspiel	Husted	Moody	Tefft
Brownell	Donaldson	Kent	Murray	Townsend
Bush, G. H.	Duffy	Kerrigan	Newschafer	West
Carson	Dunlap	Lane	Nixon	Yetman
Cheney	Endres	Le Roy	O'Neil	Youngman
Clark, J.				

For the negative,

Crosby

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill entitled "An act to revise and consolidate the laws for suppressing intemperance and for regulating the sale of intoxicating liquors (No. 886)," with a message that they have concurred in the passage of the same with the following amendments:

Section 1, line 21, after the words "license" insert the words "other than a license to sell on a physician's prescription."

At the end of section 1 add the words "but this condition shall not be construed to prohibit selling or disposing of strong or spirituous liquors, wines, ale or beer in quantities of five gallons or more, by the manufacturer thereof, in the city or town where the same is manufactured, to others than residents thereof."

At the end of section 2 strike out the words "of his predecessor."

Section 10, line 13, strike out "a" and insert the words "an annual."

Same section, line 6, before the word "salary" insert the word "annual."

Section 13, line 15, after the word "city" insert the words "which now has a special attorney whose duty it is to attend to excise matters."

Same section, line 22, after the word "board" insert the words "whenever authorized to do so by the supervisor of such town."

Section 49, line 41, after the word "eighty-eight" insert the words "provided that this act shall not, in any way, affect or repeal any of the provisions of chapters 221 and 255 of the Laws of 1875, or of the acts amendatory thereof."

Mr. Crosby moved to concur in the amendments of the Senate to said bill, and that said motion be laid upon the table and made a special order for Tuesday, May seventh, at 12 o'clock.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said motion to lay upon the table, and it was determined in the affirmative.

The Senate bill (No. 325) entitled "An act to alter the commissioners' map of the city of Brooklyn, by reducing the width of East

New York avenue and establishing the same upon the lines thereof laid down by the commissioners appointed pursuant to the provisions of chapter 146 of the Laws of 1860" (Rec. No. 153), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Endres	Larmon	Sheehan
Adams	Connelly	Enz	Little	Sheldon
Ainsworth	Coon	Fish	Loder	Smith, C.
Andrus	Creamer	Fitts	Longley	Smith, T.
Baker, A. B.	Cronin	Flaherty	McCarren	Sperry
Baker, A. H.	Crosby	Graham	McKenzie	Stevens
Barton	Curtis	Greene	Mead	Strassburg
Bauer	Dante	Groat	Mesick	Sullivan
Blake	Decker	Guenther	Miley	Towne
Blanchfield	Demarest	Hagan	Murray	Townsend
Blumenthal	Dinehart	Haggerty	Newschafer	Upton
Brown	Dinkelspiel	Hayes	Nixon	Van Gorder
Bush, G. H.	Donaldson	Hornidge	O'Neil	Walters
Carson	Duffy	Hunting	Pearsall	Yetman
Cheney	Dunham	Kent	Ryan	Youngman
Clarke, C. C.	Dunlap	Lane	Schaaff	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 356) entitled "An act to incorporate the New York and Brooklyn Tunnel Company" (Rec. No. 281), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 76 }
{ NOES 20 }

Those who voted in the affirmative, were

Acker	Curtis	Hagan	McCarren	Saxton
Adams	Dante	Hamilton	McLaughlin	Schaaff
Ainsworth	Decker	Hayes	McMaster	Sheldon
Baker, A. B.	Demarest	Hughes	Mead	Smith, C.
Baker, A. H.	de Peyster	Kelly	Mesick	Smith, M. A.
Barton	Dinkelspiel	Kimball	Miley	Strassburg
Bauer	Donaldson	Lane	Miller	Sullivan
Blanchfield	Dunham	Larmon	Moffitt	Towne

Brown	Dunlap	Le Roy	Moody	Townsend
Bush, G. H.	Edwards	Lewis	Nixon	Treadway
Carson	Enz	Little	Pearsall	Walters
Cheney	Flaherty	Loder	Rhodes	West
Clark, J.	Graham	Longley	Rice	Whipple
Comstock	Groat	Mase	Saunders	Yetman
Creamer	Guenther	McAdam	Savery	Speaker
Cronin				

Those who voted in the negative, were

Andrus	Coon	Endres	Kerrigan	Roesch
Blake	Cottrell	Fitts	King	Ryan
Blumenthal	Crosby	Haffner	Martin	Sheehan
Connelly	Duffy	Kent	Newschafer	Smith, T.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 608) entitled "An act to regulate the custody and disbursement of elevated railway income percentage special tax receipts in certain cases" (Rec. No. 296), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 62 }
{ NOES 31 }

Those who voted in the affirmative, were

Baker, A. B.	Dante	Hayes	McAdam	Ryan
Baker, A. H.	Demarest	Hornidge	McCarren	Schaaff
Barton	Dinehart	Hughes	McKenzie	Smith, C.
Bauer	Dinkelspiel	Hunting	McLaughlin	Smith, T.
Blake	Donaldson	Kent	Mead	Stevens
Blanchfield	Duffy	Kerrigan	Mesick	Strassburg
Brown	Enz	Kimball	Miley	Sullivan
Brownell	Flaherty	Lane	Miller	Tefft
Cheney	Graham	Larmon	Murray	Towne
Clarke, C. C.	Guenther	Little	Newschafer	Townsend
Comstock	Haffner	Longley	Nixon	Whipple
Creamer	Hagan	Martin	Rice	Yetman
Cronin	Haggerty			

Those who voted in the negative, were

Acker	Coon	Hamilton	Maynard	Saxton
Ainsworth	Crosby	King	McMaster	Sheehan
Andrus	Edwards	Le Roy	Moody	Sperry
Aspinall	Endres	Lewis	Pearsall	Walters
Blumenthal	Fitts	Loder	Saunders	West
Carson	Groat	Mase	Savery	Youngman
Connelly				

Mr. Creamer moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 1065) entitled "An act to provide for improving the channels of Fox creek and ditches tributary thereto, in the northern part of the town of Amherst, in the county of Erie, and making an appropriation therefor," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 77 }
{ NOES 3 }

Those who voted in the affirmative, were

Acker	Coon	Guenther	Martin	Savery
Adams	Creamer	Haffner	McAdam	Schaaß
Ainsworth	Cronin	Hagan	McKenzie	Sheehan
Andrus	Curtis	Haggerty	Mead	Smith, C.
Baker, A. B.	Davidson	Hamilton	Mesick	Smith, M. A.
Baker, A. H.	Demarest	Hayes	Miley	Smith, T.
Bauer	Dinehart	Hornidge	Moody	Stevens
Blake	Dinkelspiel	Hughes	Murray	Strassburg
Blanchfield	Duffy	Huntting	Newschafer	Sullivan
Blumenthal	Dunham	Husted	O'Neil	Tefft
Bush, G. H.	Edwards	Kent	Rhodes	Treadway
Carson	Endres	Kerrigan	Rice	Walters
Cheney	Fish	Larmon	Roesch	Whipple
Clarke, C. C.	Fitts	Little	Ryan	Yetman
Comstock	Graham	Longley	Saunders	Youngman
Connelly	Greene			

Those who voted in the negative, were

Crosby Loder Pearsall

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the concurrent resolutions recalling from the Governor, for the purposes of amendment, the following entitled Assembly bills, with a message that they have concurred in the passage of the same:

"An act to authorize the repairing of the damage to a public highway leading from the village of Castorland to the bridge over the Black river, in the town of Denmark, in the county of Lewis, caused by the overflow of said river, by reason of the State dam thereon, and to so alter said highway as to prevent future damages from said cause, and making an appropriation therefor." (No. 619.)

"An act to amend and revise chapter 540 of the Laws of 1884, entitled "An act to revise, consolidate and amend the several acts

constituting the charter of the village of Mt. Morris." (Int. No. 1175.)

"An act in relation to summary proceedings to remove monthly tenants in the city of Brooklyn for holding over." (No. 661.)

"An act to amend section 11 of chapter 84 of the Laws of 1887, entitled 'An act to amend chapter 410 of the Laws of 1882, entitled An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, in relation to the powers, duties and health fund of the board of health, and of the health department of the city of New York, and for the preservation of the public health.'" (No. 502.)

"An act to amend chapter 314 of the Laws of 1874, entitled 'An act to establish a board of police and fire commissioners of the city of Utica.'" (No. 585.)

"An act to authorize the board of trustees of the village of Peekskill to purchase real estate and erect a building thereon for the use of the fire department of said village and to issue bonds therefor." (No. 716.)

"An act to legalize certain proceedings of the common council and officers of the city of Buffalo." (No. 448.)

"An act to authorize the Board of Claims to hear, audit and determine the claim or claims of William Fuller and sons against the State, and to make an award therefor." (No. 592.)

"An act to supply and correct certain defects and omissions in the certificate of incorporation of the religious society known as St. Paul's African Methodist Episcopal Church in Morrisania, Westchester county." (No. 171.)

"An act to amend chapter 463 of the Laws of 1860, entitled 'An act to revise the charter of the city of Oswego,' and the acts amendatory thereof." (Int. No. 1136.)

"An act to amend section 4 of title 13 of chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,' and the several acts amendatory thereof, relating to the Buffalo fire department." (No. 379.)

"An act to amend section 8 of title 2 of chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,' and the several acts amendatory thereof, relating to the election districts of said city." (No. 59.)

Ordered, That the Clerk deliver said resolutions to the Governor.

By unanimous consent,

Mr. Husted introduced a bill entitled "An act supplementary to chapter 289 of the Laws of 1887, entitled 'An act to further amend chapter 27 of the Laws of 1875, entitled, as amended by chapter 30 of the Laws of 1881, An act to designate the holidays to be observed in the acceptance and payment of bills of exchange, bank checks and promissory notes, and relating to the closing of public offices'" (Int. No. 1225), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Davidson	Hughes	Mesick	Saxton
Ainsworth	Demarest	Hunting	Moffitt	Sheehan
Baker, A. B.	de Peyster	Husted	Moody	Smith, M. A.
Bauer	Dinehart	Kent	Mullaney	Smith, T.
Blake	Edwards	Kerrigan	Murray	Sperry
Blanchfield	Endres	King	Newschafer	Stevens
Brown	Enz	Lane	Nixon	Strassburg
Clark, J.	Fitts	Le Roy	O'Neil	Sullivan
Comstock	Flaherty	Little	Pearsall	Tefft
Connelly	Greene	Loder	Peck	Treadway
Coon	Guenther	Martin	Rhodes	Van Gorder
Cottrell	Haffner	Maynard	Rice	Walters
Creamer	Hagan	McAdam	Ryan	West
Cronin	Haggerty	McCarren	Saunders	Yetman
Crosby	Hamilton	McKenzie	Savery	Youngman
Curtis	Hayes	Mead		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 952) entitled "An act to amend chapter 436 of the Laws of 1880, entitled 'An act to establish a police department in the city of Buffalo and to provide for the government thereof,' relating to the police force," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Groat	McAdam	Saunders
Ainsworth	Demarest	Guenther	McCarren	Savery
Andrus	Dinehart	Haffner	McKenzie	Saxton
Baker, A. B.	Dinkelspiel	Hagan	McMaster	Schaaff
Bauer	Donaldson	Hamilton	Mead	Smith, T.
Blake	Duffy	Harwood	Mesick	Stevens
Blanchfield	Dunham	Hayes	Moody	Strassburg
Bush, G. H.	Edwards	Hughes	Murray	Sullivan
Clark, J.	Endres	Hunting	Newschafer	Treadway
Clarke, C. C.	Enz	Husted	Nixon	Van Gorder
Comstock	Fitts	Kent	O'Neil	Walters
Connelly	Flaherty	Kimball	Pearsall	West
Coon	Gallup	Lane	Peck	Yetman

Cottrell	Gibbs	Little	Rhodes	Young
Cronin	Graham	Martin	Rice	Youngman
Curtis	Greene	Maynard	Ryan	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 928) entitled "An act to amend chapter 120 of the Laws of 1886, entitled 'An act to revise the charter of the city of Lockport,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Flaherty	McAdam	Savery
Ainsworth	Connolly	Graham	McCarren	Saxton
Andrus	Cottrell	Groat	McKenzie	Schaaff
Aspinall	Cronin	Guenther	McMaster	Sheehan
Baker, A. B.	Crosby	Haffner	Mead	Smith, T.
Baker, A. H.	Curtis	Hagan	Mesick	Sperry
Barton	Decker	Haggerty	Moody	Strassburg
Bauer	de Peyster	Hornidge	Newschafer	Tefft
Blake	Dinehart	Hughes	Nixon	Towne
Blanchfield	Duffy	Kent	O'Neil	Treadway
Brown	Dunham	Kerrigan	Pearsall	Upson
Brownell	Edwards	Kimball	Peck	Van Gorder
Bush, G. H.	Endres	Lane	Rhodes	West
Cheney	Enz	Little	Rice	Whipple
Clark, J.	Fish	Mase	Ryan	Youngman
Clarke, C. C.	Fitts	Maynard	Saunders	Speaker

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. A. B. Baker called from the table the bill (No. 210) entitled "An act to provide for the completion of a reservoir on the Black river above Forestport pond, in Oneida county, and making an appropriation therefor."

The question recurring upon the motion to reconsider the vote by which said bill was passed,

Mr. A. B. Baker offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That the bill entitled "An act to provide for the completion of a reservoir on the Black river above Forestport pond, in Oneida county, and making an appropriation therefor" (No. 210), be returned to the Governor without amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the bill entitled "An act to amend sections 42 and 52 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in relation to the appointment and salaries of the commissioners of parks" (No. 1130), with a message that they have concurred in the passage of the same with the following amendments:

Section 2, line 15, strike out the word "five" and insert in place thereof the word "seven."

Same section, line 44, strike out the word "two" and insert in place thereof the word "five."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 75 }
{ NOES 3 }

Those who voted in the affirmative, were

Acker	Coon	Fitts	Maynard	Schaaff
Ainsworth	Cottrell	Flaherty	McAdam	Sheehan
Andrus	Cronin	Groat	McKenzie	Sheldon
Aspinall	Crosby	Haffner	Mead	Smith, T.
Baker, A. B.	Curtis	Hagan	Mesick	Sperry
Baker, A. H.	Davidson	Haggerty	Newschafer	Stevens
Bauer	Decker	Hayes	Nixon	Strassburg
Blake	Demarest	Hughes	Pearsall	Sullivan
Blanchfield	de Peyster	Hunting	Peck	Tefft
Brown	Dinehart	Kent	Rhodes	Towne
Bush, G. H.	Donaldson	Kimball	Rice	Treadway
Cheney	Duffy	Larmon	Roesch	Van Gorder
Clark, J.	Dunham	Little	Ryan	West
Clarke, C. C.	Edwards	Loder	Savery	Whipple
Connelly	Enz	Mase	Saxton	Speaker

Those who voted in the negative, were

Greene	Hornidge	Kerrigan
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Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

Mr. King offered for the consideration of the House, a resolution in the words following:

Resolved, That Assembly bill No. 1203, entitled "An act to amend chapter 276 of the Laws of 1885, entitled 'An act to amend chapter 489 of the Laws of 1879, entitled An act to regulate the issuance of policies and the reinsurance thereof by fire insurance companies transacting business in this State,'" now on the order of third reading, be read the third time on Monday, May sixth.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Saxton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Whipple, Int. No. 982, entitled "An act to provide for the welfare of the Indians in this State," reported in favor of the passage of the same, which report was agreed to and said bill restored to its place on the order of third reading.

Mr. Saxton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Guenther, Int. No. 991, entitled "An act to incorporate the Buffalo and Niagara Power and Drainage Company," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill restored to its place on the order of third reading.

On motion of Mr. Saxton, and by unanimous consent, said bill was ordered to be read the third time on Monday, May sixth.

Mr. Saxton, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Laughlin, Int. No. 285, entitled "An act to amend sections 3 and 4 of chapter 89 of the Laws of 1883, entitled 'An act to revise and amend the articles of incorporation of the Young Men's Christian Association of Buffalo,'" reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Saxton, from the committee on the judiciary, to which was referred the Senate bill introduced by special committee, Int. No. 305, entitled "An act to amend sections 1093, 1097, 1106, 1108, 1109, 1113, 1117, 1118, 1119 and 1123 of the Code of Civil Procedure, and to repeal sections 1114, 1115 and 1116 of said code, relating to trial jurors in the city and county of New York," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

On motion of Mr. Saxton, and by unanimous consent, said bill was ordered to be read the third time on Monday, May sixth.

Mr. Saxton, from the committee on judiciary, to which was referred the Senate bill introduced by Mr. Vedder, Int. No. 253, entitled "An act to amend section 597 of the Code of Criminal Procedure, relating to bail," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill restored to its place on the order of third reading.

On motion of Mr. Nixon, and by unanimous consent, said bill was ordered to be read the third time on Monday, May sixth.

Mr. Saxton, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Erwin, Int. No. 145, entitled "An act to amend chapter 314 of the Laws of 1858, entitled 'An act to declare and extend the powers of executors, assignees, receivers and other trustees, and to protect the rights of creditors and others against frauds, and for other purposes,'" reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Saxton, from the committee on the judiciary to which was referred the Senate bill introduced by Mr. Grady, Int. No. 259, entitled "An act to amend chapter 391 of the Laws of 1885, entitled 'An act concerning the claim of William McDonald for damages on account

of imprisonment under a warrant of the Senate of the State of New York," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

On motion of Mr. Hayes, and by unanimous consent, said bill was ordered to be read the third time on Monday, May sixth.

Mr. Husted, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Vedder, Int. No. 311, entitled "An act to tax sales of beverages in certain cases," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Stevens, from the committee on game laws, to which was referred the bill introduced by Mr. Stevens, Int. No. 993, entitled "An act repealing section 1, chapter 623, Laws of 1887, entitled 'An act for the preservation of moose, wild deer, fish and other game,'" reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to amend chapter 623, Laws of 1887, entitled 'An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds and other game,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. Stevens, from the committee on game laws, to which was referred the bill introduced by Mr. de Peyster, Int. No. 1159, entitled "An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gallup, from the committee on canals, to which was referred the Senate bill introduced by Mr. Foley, Int. No. 250, entitled "An act to grant to George A. Streeter and Albert Shear, their heirs, grantees and assigns, the right to build, construct and maintain a dam across the Mohawk river, between the State feeder dam and the first aqueduct of the Erie canal below the city of Schenectady, and to connect it with the bank of the canal feeder on the north side of the river, and to take and use the water from the pond formed by such dam for propelling machinery, and for manufacturing and mechanical purposes," reported in favor of the passage of the same, which report was agreed to and said bill restored to its place on the order of third reading.

On motion of Mr. Brownell, and by unanimous consent, said bill was ordered to read the third time on Tuesday, May seventh.

Mr. Nixon, from the committee on internal affairs, to which was referred the bill introduced by Mr. Harwood, Int. No. 940, entitled "An act to authorize the Niagara Hydraulic Company to erect machinery under the Niagara Falls for the purpose of utilizing the water power of said falls for manufacturing electricity, and to erect the necessary machinery for the same," reported in favor of the passage of the same, with amendments (Messrs. Pearsall and G. H. Bush, dissenting), and the title amended so as to read "An act to authorize the Niagara Hydraulic Electric Company to erect machinery under the Niagara Falls for the purpose of utilizing the water power

of said falls for manufacturing electricity and other power, and to erect the necessary machinery for the same," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to establish a Code of Evidence" (No. 848), reported the same with the recommendation that it be amended as follows:

Section 15, line 9, after the word "it" insert the word "is."

Same section, line 10, make the word "disapproved" "disproved."

Section 16, line 4, after the word "proceedings" insert the word "in."

Section 37, line 3, before the word "the" insert the words "the solvency or."

Section 52, line 2, after the words "validity of" insert the word "the" in place of "a."

Section 60, subdivision 4, line 13, make a new paragraph beginning with the word "In."

Between "Title 2" and "Chapter 1" insert the word "Proof."

Title 2, chapter 1, line 3, strike out the word "Proof."

Page 15, line 42, make a new paragraph beginning with the word "In."

Same page, section 75, line 2, make a new paragraph beginning with the word "If."

Same page, line 2, make the same correction.

Same page, line 6, make the same correction.

Page 17, section 88, line 3, after the word "hand" insert the words "and seal."

Page 20, section 101, strike out the word "copy" and insert the word "paper" in place thereof.

Page 23, section 113, line 2, after the word "or" insert the word "by."

Page 25, section 122, line 8, strike out the word "named" and insert the word "stated."

Page 26, line 2, strike out the words "in all respects."

Page 34, line 35, after the word "or" insert the word "is."

Page 39, between "Title 3" and "Chapter 1" insert the words "Production and effect of evidence."

Same page, line 3, strike out the words "Production and effect of evidence."

Page 51, line 38, strike out the word "second" and insert the word "two."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 193 of the Laws of 1885, entitled 'An act to amend chapter 202 of the Laws of 1884, entitled 'An act to prevent deceptions in the sales of dairy products'" (No. 1160), reported the same with the recommendation that it be amended as follows:

Section 1, line 3, after the word "products" insert the words "as amended by chapter 193 of the Laws of 1885."

Amend the title by striking out all after the word "amend," in first line, down to and including the word "amend" in third line; also by

adding at the end the words " and the acts amendatory thereof, relating to false brands and labels."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 282 of the Laws of 1887, entitled 'An act to further amend chapter 75 of the Laws of 1878, entitled An act in relation to the bonded indebtedness of villages, cities, towns and counties, as amended by chapter 317 of the Laws of 1878, and by chapter 244 of the Laws of 1884'" (No. 1158) reported the same with the recommendation that it be amended as follows:

Section 1, line 1, after the word "section" strike out the word "two" and insert the word "three;" same line, strike out the words "two hundred and eighty-two" and insert the word "seventy-five."

Same section, line 2, strike out the word "eighty-seven" and insert the word "seventy-eight," and after the word "entitled," in same line, insert the words "An act in relation to the bonded indebtedness of villages, cities, towns and counties," as amended by chapter 317 of the Laws of 1878, chapter 244 of the Laws of 1884, and chapter 282 of the Laws of 1887;" same line, strike out all after the words beginning with "an act" down to and including the word "eighty-four," in line 8.

Same section, line 8, after the word "is" insert the words "hereby further."

Strike out all of section 1, beginning with line 10, down to and including line 13, and insert in place thereof the following:

"§ 3. Whenever any bonds of any village, city, town or county shall become due and payable, or in anticipation thereof, the said officers or boards may, in their discretion, cause to be issued, in proper form, new bonds, having not more than thirty years to run; provided, however, such new bonds shall be sold at public auction, or to the highest bidder, whose bid shall be by sealed proposal, after notice of said public auction or inviting such sealed proposals; such notice to be published in two newspapers, to be designated by such boards or officers, for three successive weeks immediately preceding the day of such sale. Such bonds shall be issued at a rate of interest not exceeding six per centum per annum, and shall be sold for not less than par; and further provided, that in no case shall new bonds be sold except at a lower rate of interest than that borne by the bonds then due and payable; such new bonds shall bear date and draw interest from the date of the payment of the bonds then due. But nothing in this section contained shall be deemed or construed to affect or interfere with the provisions of chapter 316 of the Laws of 1886, entitled 'An act in relation to the bonded indebtedness of villages, cities, towns and counties in this State, and to provide means for the payment and refunding thereof.'"

Amend the title by striking out all after the word "amend" in first line, down to and including the word "amend" in third line. Strike out the words "and by" in line 9. Add at the end thereof the words "and chapter 282 of the Laws of 1887, relating to issue of new bonds in certain cases."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to provide for certain improvements in the Eighth ward in the city of Brooklyn" (No. 1179), reported the same with the recommendation that it be amended as follows:

Section 10, line 6, substitute the word "his" for the word "their."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' touching local improvements and the department of fire" (No. 646), reported the same with the recommendation that it be amended as follows:

Section 1, line 5, after the word "subdivision" insert the words "to read."

Same section, line 18, strike out the words "of this section."

Amend the title by adding at the end thereof the words "and repealing certain sections of said act."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 556 of the Laws of 1888, entitled 'An act establishing a board of improvement and defining its powers and duties, and to provide for lighting the streets and other places in the town of New Utrecht, in the county of Kings'" (No. 1168), reported the same, with the recommendation that it be amended as follows:

Section 1, line 1, strike out the word "fifty" and insert the word "seventy" in place thereof.

Same section, line 2, after the word "eighty-eight" insert the words "entitled an act establishing a board of improvement and defining its powers and duties, and to provide for lighting the streets and other places in the town of New Utrecht, in the county of Kings."

Section 5, strike out all of line 1 and insert in place thereof the words "Said act is hereby further amended by adding thereto the following section which shall be designated as section 22, which shall read as follows:"

Amend the title by striking out the word "fifty" in line 1 and inserting the word "seventy" in place thereof.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendation:

"An act to provide for the rehearing of the claim of John Fitzpatrick for extra work done and materials furnished for the State, under the

direction of State officials, in the improvement of Fall creek, in Havana, Schuyler county." (No. 899.)

"An act to fix the duration of the term of office of the surrogate in the city and county of New York." (No. 1174.)

"An act relating to the supervision of mortgage companies." (No. 1172.)

"An act to regulate the charges of auctioneers for the sale of personal property." (No. 1015.)

"An act to repeal chapter 186 of the Laws of 1874, entitled 'An act for the relief of the president, directors and company of the Schoharie Kill Bridge Company.'" (No. 654.)

"An act relative to the appointment of additional notaries public." (No. 1182.)

"An act to provide for the application and distribution of receipts from premiums collected and to be collected from foreign fire insurance companies doing business in New York State under and pursuant to chapter 604 of the Laws of 1886." (No. 1185.)

"An act relative to the cleaning of streets, avenues, alleys and public places in the city of Brooklyn, and to provide the means of payment for the same." (No. 1180.)

"An act to amend sections 916 and 997 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, relative to serving notice when property is assessed.'" (No. 1178.)

"An act to provide for organizing a veteran reserve corps in the reserve militia from among those exempted by reason of military service from ordinary duty." (No. 1183.)

"An act to amend section 390 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act, and to declare the special and local laws affecting public interests in the city of New York, as the same is amended by chapter 149 of the Laws of 1888.'" (No. 338.)

"An act to amend section 1000 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, relating to charges of commissioners of estimate and assessment.'" (No. 1177.)

"An act to amend chapter 119 of the Laws of 1888, entitled 'An act relating to employes of the various cities and counties of the State.'" (No. 942.)

"An act to amend chapter 608 of the Laws of 1881, entitled 'An act to amend chapter 303 of the Laws of 1871, entitled 'An act to amend title 16, chapter 8, part 3 of the Revised Statutes, relative to proceedings for the draining of swamps, marshes and other low or wet lands, and for draining farm lands.'" (No. 1156.)

"An act to prevent insurance companies, their officers, managers or agents from including in the premium mentioned in policies of insurance any policy fee, survey fee or other fee, perquisite, or compensation than the premium charged for the insurance (No. 1096.)

"An act to close part of the old Bushwick road or avenue in the city of Brooklyn." (No. 679.)

"An act providing the manner in which the compensation of overseers of the poor of the several towns in this State shall be fixed." (No. 589.)

"An act to provide for the compilation and enactment of a municipal code in the city of New York." (No. 677.)

Ordered, That said bills be engrossed for a third reading.

Mr. Cheney, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Yetman, Int. No. 1199, entitled "An act to repeal chapter 489 of the Laws of 1871, entitled 'An act to amend an act entitled An act to incorporate the village of Tottensville, in the town of Westfield, county of Richmond,'" reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Cottrell, from the committee on agriculture, to which was referred the bill introduced by Mr. Creamer, Int. No. 1219, entitled "An act to prevent the sale and delivery of adulterated wheat in the markets of this State," reported the same for the consideration of the House, and said bill committed to the committee of the whole.

On motion of Mr. Creamer, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading, and referred to the committee on revision.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 500, entitled "An act authorizing and empowering medical schools to acquire property" (Rec. No. 212), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate with a message that the Assembly have concurred in the passage of the same.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 25, 1889. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 648, entitled "An act to further provide the means for the erection and completion of a soldiers and sailors' monument in the city of Brooklyn, by authorizing the issue of bonds."

DAVID B. HILL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Creamer	Graham	Martin	Ryan
Ainsworth	Crosby	Groat	Mase	Saunders
Andrus	Davidson	Guenther	Maynard	Savery
Aspinall	Decker	Haffner	McAdam	Saxton

Baker, A. B.	Demarest	Haggerty	McKenzie	Sheehan
Blanchfield	Dinehart	Hayes	McMaster	Smith, T.
Blumenthal	Dinkelspiel	Hughes	Mead	Stevens
Brown	Donaldson	Huntting	Meick	Strassburg
Brownell	Duffy	Kent	Moody	Sullivan
Carson	Dunham	Kerrigan	Newschafer	Towne
Cheney	Edwards	Kimball	Nixon	Townsend
Clark, J.	Endres	King	O'Neil	Treadway
Comstock	Enz	Lane	Pearsall	Van Gorder
Connelly	Fish	Larmon	Rhodes	West
Coon	Fitts	Lewis	Rice	Whipple
Cottrell	Flaherty	Loder	Roesch	Youngman

The vote upon the final passage of the said bill having been reconsidered,

On motion of Mr. Haggerty, and by unanimous consent, the same was amended by striking out in the thirteenth line from the bottom of first page, engrossed bill, the words "and all of said bonds shall be exempt from taxation."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 76 }
{ NOES 2 }

Those who voted in the affirmative, were

Acker	Cottrell	Fitts	Loder	Saxton
Ainsworth	Creamer	Flaherty	Martin	Schaaff
Andrus	Cronin	Graham	Maynard	Sheehan
Aspinall	Decker	Greene	McAdam	Smith, M. A.
Baker, A. B.	Demarest	Groat	Mead	Smith, T.
Bauer	de Peyster	Haffner	Moffitt	Stevens
Blake	Dinehart	Hagan	Moody	Strassburg
Blanchfield	Dinkelspiel	Haggerty	Newschafer	Sullivan
Blumenthal	Donaldson	Hayes	O'Neil	Towne
Brown	Duffy	Hughes	Pearsall	Townsend
Brownell	Dunham	Huntting	Rhodes	Treadway
Carson	Edwards	Kent	Rice	Van Gorder
Cheney	Endres	Kerrigan	Roesch	West
Clark, J.	Enz	Kimball	Ryan	Whipple
Connelly	Fish	Lewis	Savery	Youngman
Coon				

Those who voted in the negative, were

Larmon Tefft

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

Mr. Peck, from the subcommittee of the whole, presented a report in writing; which was laid upon the table and ordered printed.

(See Doc. No. 101.)

A message from the Senate was received and read, in the words following:

IN SENATE, *April 26, 1889.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 637) entitled "An act to amend chapter 53 of the Laws of 1879, entitled 'An act to revise the charter of the city of Auburn,' and the several acts amendatory thereof."

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. Sweet, and by unanimous consent, the same was amended as follows:

Strike out sections 1, 2, 3, 4, 5, 9 and 10 of the bill. Make sections 6, 7 and 8 read sections 1, 2 and 3, respectively, and make sections 11 to 22 read sections 4 to 15, inclusive.

And as amended passed, reëngrossed, and ordered to be sent to the Assembly for concurrence.

By order.

JOHN S. KENYON, *Clerk.*

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connolly	Gibbs	Martin	Saunders
Ainsworth	Coon	Graham	Mase	Savery
Andrus	Cottrell	Greene	Maynard	Saxton
Aspinall	Cronin	Groat	McAdam	Schaaff
Baker, A. B.	Crosby	Guenther	McKenzie	Sheehan
Baker, A. H.	Decker	Haffner	Mead	Smith, T.
Barton	Demarest	Haggerty	Mesick	Sperry
Bauer	de Peyster	Hamilton	Miley	Stevens
Blake	Dinehart	Hughes	Moody	Strassburg
Blanchfield	Donaldson	Huntting	Newschafer	Towne
Blumenthal	Duffy	Kent	Nixon	Townsend
Brown	Dunham	Kerrigan	O'Neil	Treadway
Carson	Endres	Kimball	Pearsall	Van Gorder
Cheney	Enz	Larmon	Peck	West
Clark, J.	Fitts	Lewis	Roesch	Youngman
Comstock	Flaherty	Loder	Ryan	

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Endres	Lane	Saunders
Ainsworth	Connelly	Enz	Larmon	Savery
Andrus	Cottrell	Fitts	Lewis	Saxton
Aspinall	Creamer	Flaherty	Martin	Sheehan
Baker, A. B.	Cronin	Graham	Maynard	Sheldon
Baker, A. H.	Crosby	Greene	Mead	Smith, C.
Barton	Curtis	Groat	Moody	Smith, M. A.
Bauer	Decker	Guenther	Newschafer	Sperry
Blake	Demarest	Haffner	Nixon	Strassburg
Blanchfield	de Peyster	Hagan	O'Neil	Sullivan
Blumenthal	Dinehart	Haggerty	Pearsall	Tefft
Brown	Dinkelspiel	Hamilton	Peck	Treadway
Brownell	Donaldson	Hughes	Rhodes	Upson
Carson	Duffy	Kent	Rice	Van Gorder
Cheney	Dunham	Kerrigan	Roesch	West
Clark, J.	Edwards	Kimball	Ryan	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

The bill (No. 897) entitled "An act to amend chapter 409 of the Laws of 1886, as amended by chapter 462 of the Laws of 1887, entitled 'An act to regulate the employment of women and children in manufacturing establishments and to provide for the appointment of inspectors to enforce the same,'" having been announced for a third reading,

On motion of Mr. Andrus, and by unanimous consent, the same was amended as follows:

Section 6, line 1, engrossed bill, strike out the word "two" and insert the word "twelve."

Same section, line 8, change the figure "2" to "12."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Graham	Lewis	Savery
Ainsworth	Crosby	Greene	Loder	Saxton
Andrus	Dante	Groat	Maynard	Sheehan
Baker, A. B.	Decker	Guenther	McAdam	Sheldon
Baker, A. H.	Demarest	Haffner	McCarren	Smith, C.
Barton	de Peyster	Hagan	McKenzie	Smith, M. A.
Bauer	Dinehart	Haggerty	McMaster	Stevens
Blanchfield	Dinkelspiel	Hamilton	Mead	Strassburg

Blumenthal	Donaldson	Hayes	Moffitt	Sullivan
Brownell	Duffy	Hughes	Moody	Tefft
Carson	Dunham	Huntting	Newschafer	Townsend
Cheney	Edwards	Husted	Nixon	Van Gorder
Clark, J.	Endres	Kent	O'Neil	West
Comstock	Enz	Kerrigan	Rhodes	Whipple
Connelly	Fitts	King	Rice	Yetman
Coon	Flaherty	Lane	Ryan	Youngman
Cottrell	Gallup	Larmon		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Le Roy offered for the consideration of the House a resolution, in the words following:

Resolved, That Senate bill No. 272, entitled "An act conferring jurisdiction upon the Board of Claims to hear, audit and determine the claim of John C. Frischknecht against the State" (Rec. No. 124), now on the order of third reading, be read the third time on Monday evening May sixth.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Whipple, from the committee on insurance, to which was, referred the bill introduced by Senate insurance committee, Int. No. 190, entitled "An act to amend chapter 463, of the Laws of 1853, entitled 'An act to provide for the incorporation of life and health insurance companies and casualty insurance companies, and in relation to agencies for such companies, and the acts amendatory thereof,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 17, 1889. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill, No. 518, entitled "An act to enable the board of education of Union Free School District No. 1, of the city of Rome, to raise money for extraordinary or special purpose by giving notice thereof by publication in newspapers of the city, of an election to be held, instead of by serving a personal notice upon the qualified voters of said district."

DAVID B. HILL

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Gibbs	Larmon	Roesch
Ainsworth	Coon	Graham	Lewis	Saunders
Andrus	Cottrell	Greene	Loder	Savery

Aspinall	Cronin	Groat	Martin	Saxton
Baker, A. B.	Decker	Guenther	McAdam	Sheehan
Barton	Demarest	Haffner	McCarren	Smith, M. A.
Bauer	de Peyster	Hagan	McKenzie	Strassburg
Blake	Dinehart	Haggerty	Mead	Towne
Blanchfield	Dinkelspiel	Hayes	Mesick	Townsend
Blumenthal	Donaldson	Hughes	Moffitt	Treadway
Brown	Duffy	Hunting	Moody	Upson
Bush, G. H.	Dunham	Husted	Nixon	Van Gorder
Carson	Edwards	Kelly	O'Neil	West
Cheney	Endres	Kent	Pearsall	Whipple
Clark, J.	Fitts	Kerrigan	Rhodes	Youngman
Comstock	Flaherty	Lane		

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. McAdam, and by unanimous consent, the same was amended as follows:

Strike out all after the enacting clause and insert in place thereof the following:

SECTION 1. Section 4 of title 10 of said act is hereby amended so as to read as follows:

§ 4. The amount to be raised for school purposes in said district shall be determined by the common council on the estimates of the board of education. But if said estimates shall in any year include an amount not less than \$5,000 for the erection of new buildings, said board of education may have power after the levy is made by said common council upon said estimates to issue bonds signed by the president and clerk of said board of education, under the seal of said board, of the denomination of \$500 each, bearing interest at a rate not exceeding six per centum per annum, payable semi-annually for such portion of said levy for new buildings, and for such time, not exceeding twenty years, as it shall deem most advisable, equal amounts of such bonds maturing annually during each year of the period for which issued, and the bonds maturing each year, together with the whole amount of interest on all bonds matured and unmatured, shall be raised annually by tax in the same manner and at the same time as other school taxes in said district; said bonds shall be sold as said board of education shall direct for not less than par, and the proceeds of such sale deposited to the credit of said board in the depository or depositories of the school moneys of said city; said board of education shall yearly, and whenever required so to do by the common council, make and deliver to the common council a detailed statement showing and accounting for all moneys that have been received or expended by or through them since the date of their then last report thereof to the common council.

§ 2. This act shall take effect immediately.

Amend the title so as to read as follows:

"An act to amend chapter 25 of the Laws of 1870, entitled 'An act to incorporate the city of Rome,' as amended by chapter 384 of the Laws of 1881."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Greene	Martin	Saxton
Ainsworth	Crosby	Groat	McAdam	Sheehan
Andrus	Decker	Guenther	McCarren	Sheldon
Baker, A. B.	Demarest	Haffner	McKenzie	Smith, M. A.
Baker, A. H.	de Peyster	Hagan	Mead	Smith, T.
Bauer	Dinkelspiel	Haggerty	Mesick	Sperry
Blake	Duffy	Hamilton	Moffit	Strassburg
Blanchfield	Dunham	Hughes	Moody	Sullivan
Blumenthal	Edwards	Hunting	Nixon	Towne
Carson	Endres	Husted	O'Neil	Townsend
Cheney	Enz	Kent	Pearsall	Van Gorder
Clark, J.	Fish	Kerrigan	Rhodes	West
Comstock	Fitts	Lane	Roesch	Whipple
Connelly	Flaherty	Larmon	Ryan	Youngman
Coon	Gibbs	Lewis	Saunders	Speaker
Cottrell	Graham	Loder	Savery	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein, as amended.

Mr. Acker offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 1023, entitled "An act to confirm the action and proceedings of the trustees of the village of Corning, acting as commissioners of highways, on discontinuing portions of State street, Water street and the alley in block 83 in said village," now on the order of third reading, be read the third time May seventh, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Andrus offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 1171, entitled "An act to amend chapter 436 of the Laws of 1880, entitled 'An act to establish a police department in the city of Buffalo, and to provide for the government thereof,' as amended by chapter 359 of the Laws of 1883, relating to the police department," now on the order of third reading, be read the third time May sixth, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Nixon gave notice that he would at some future day move to suspend Rule 44 in order that Assembly bill No. 1008, entitled "An act to provide for the inspection of meats intended for human food, and to provide for the appointment of inspectors thereof," may be read the third time out of its order.

On motion of Mr. Rhodes, and by unanimous consent, the committee of the whole was discharged from the further consideration of

the bill (No. 1138) entitled "An act to amend section 290 of chapter 409 of the Laws of 1882, entitled 'An act to revise the statutes of this State relating to banks, banking and trust companies,' as amended by chapter 477 of the Laws of 1885," and the same was ordered to a third reading, and referred to the committee on revision.

Mr. Crosby offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 832, entitled "An act to amend chapter 417 of the Laws of 1878, entitled 'An act to provide for the laying out and improvement of the public squares and places established in Fourth avenue, in the city of New York, by chapter 528 of the Laws of 1873,'" now on the order of third reading, be read the third time on Monday, May 6, 1889, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Cronin offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 913, entitled "An act to increase the salaries of police patrolmen in Long Island City," now on the order of third reading, be read the third time on Tuesday, May seventh, at 12 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. O'Neil offered for the consideration of the House a resolution, in the words following:

Resolved, That the use of the Assembly parlor be granted to the Hon. Sylvanus D. Locke, a former member of this House, for the purpose of exhibiting to the members of the Legislature an electric vote enunciator.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Graham gave notice that he would at some future date move to suspend Rule No. 44, for the purpose of reading out of its order Assembly bill No. 1132, entitled "An act to extend the time for the completion of the Hudson Tunnel Railway."

The Senate returned the concurrent resolutions to return to the Governor without amendment the following entitled Assembly bills, with a message that they have concurred in the passage of the same:

"An act making an appropriation for the Northern New York Institution for Deaf-Mutes." (No. 94.)

"An act to provide for the completion of a reservoir on the Black river, above Forestport pond, in Oneida county, and making an appropriation therefor." (No. 210.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled Senate bills, with a message that they have concurred in the amendments of the Assembly thereto:

"An act to provide for the construction and maintenance of an exterior street along a portion of the East river in the city of New York." (Rec. No. 91.)

"An act to amend chapter 392 of the Laws of 1887, entitled 'An act

to make the office of county clerk of St. Lawrence county a salaried office, and regulating the management of said office,' as amended by chapter 79 of the Laws of 1888." (Rec. No. 149.)

Ordered, That the Clerk return said bills to the Senate.

The Senate returned the Senate bill entitled "An act to make and declare the 29th day of April and the 1st day of May, 1889, in certain cities of this State, legal holidays." (Rec. No. 319.)

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

"An act to secure more fully the independence of electors at public elections, to enforce the secrecy of the ballot and to provide for the printing and distribution of ballots at public expense." (No. 728.)

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, relating to police justices and the clerks of the court of special sessions.'" (No. 458.)

"An act to amend sections 37 and 52 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York.'" (No. 880.)

"An act supplementary to chapter 289 of the Laws of 1887, entitled An act to further amend chapter 27 of the Laws of 1875, entitled as 'amended by chapter 30 of the Laws of 1881, entitled 'An act to designate the holidays to be observed in the acceptance and payment of bills of exchange, bank checks and promissory notes, and relating to the closing of public offices. (Int. No. 1225.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled bills:

"An act to amend sections 42 and 52 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in relation to the appointment and salaries of the commissioners of parks." (No. 1130.)

"An act to provide for the care and custody of the estates of persons sentenced to State prison for life." (No. 446.)

"An act to amend section 2 of chapter 50, Laws of 1850, entitled 'An act in relation to the Troy water-works.'" (No. 1099.)

Ordered, That the Clerk deliver said bills to the Governor.

On motion of Mr. Gibbs the House adjourned.

MONDAY, MAY 6, 1889.

The House met pursuant to adjournment.

Prayer by Rev. Charles E. Dunn.

On motion of Mr. Saxton, the journal of Friday, April 26, was approved without being read.

Mr. Saxton offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent

to the Governor, requesting the return to the Assembly of Assembly bill No. 728, entitled "An act to secure more fully the independence of electors at public elections, to enforce the secrecy of the ballot and to provide for the printing and distribution of ballots at public expense," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Sheehan having risen to debate the resolution,

Mr. Saxton raised the point of order that the resolution was not debatable.

Mr. Speaker sustained the point of order.

Mr. Sheehan asked that his request that Mr. Saxton explain the resolution, and the refusal to make such explanation, be entered on the journal; which was so ordered.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Speaker called from the table the report of the subcommittee of the whole (Assem. Doc. No. 101), in favor of the passage of the following entitled bills:

Int. 76, No. 792, "An act to amend chapter 230 of the Laws of 1884, entitled 'An act to authorize and enable the county of Kings, for the care, custody and relief of its poor and insane, to purchase, erect and maintain, outside the limits of said county, a farm and buildings, and to issue bonds to meet the expense thereof.'"

Int. 844, No. 890, "An act in relation to the Inebriates' Home for Kings county."

Int. 883, No. 1189, "An act to prohibit the publication by newspapers and other publications in this State of descriptions or announcements of certain unlawful acts."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bills ordered to a third reading, and referred to the committee on revision.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, May 6, 1889. }

To the Assembly:

Assembly bill No. 359, entitled "An act to amend chapter 214 of the Laws of 1888, entitled 'An act to revise the charter of the city of Binghamton,'" is herewith returned without approval.

The principal amendment proposed by this bill consists in an enlargement of the boundaries of the city of Binghamton. I find, upon investigation, that there is considerable opposition to the measure. The citizens who oppose the bill requested an opportunity to be heard before the Senate committee, but such opportunity was not accorded them.

So far as I have been able to ascertain, a majority of the citizens are not anxious that the bill should become a law. It is claimed that if the bill should be approved about 1,000 inhabitants would be added to the Tenth ward of the city, and that this would make that ward twice as populous as any other in the city, yet this bill makes no provision for any division of such ward.

The active advocates of the bill seem chiefly to be those interested in real estate in the outlying districts, and there also seems to be some ground for the belief that political motives have induced the passage of the bill before me, with the hope that the additional population brought within the city limits would, perhaps, change the political complexion of the city government. Besides, if the boundaries are to be enlarged, there appears to be no good reason why the extension should not also take place in directions which, for peculiar reasons known to the promoters of the bill, have so far been omitted. The mayor of the city and other prominent citizens have filed with me a remonstrance against the bill.

No great public interest will suffer if the proposed change of city limits shall be delayed for another year, when it is probable some bill commanding greater unanimity of public support can be introduced and passed.

DAVID B. HILL.

On motion of Mr. Lewis, said bill and the accompanying message were laid upon the table.

Also, the following (left with the Clerk April twenty-seventh):

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 27, 1889. }

To the Assembly :

Assembly bill No. 566, entitled "An act to enforce the collection of taxes levied in the county of Wayne," is herewith returned without approval.

In my message of even date herewith to the Senate, returning, without my approval, Senate bill No. 170, I have called attention to the fact that there are already on our statute books fourteen different special laws providing in the same general way, but with almost infinite variety of detail, for fifteen counties similarly situated. This bill proposes to add to the list another special law for one more county. It is respectfully insisted that the Legislature should, instead, repeal all of the fourteen special laws now existing, and bring these fourteen counties, and all other counties similarly situated, under a uniform system to be established by one general law.

I respectfully refer the Assembly to my message to the Senate, as aforesaid, for further reasons for my disapproval of this bill.

DAVID B. HILL.

On motion of Mr. Groat, said bill and the accompanying message were laid upon the table.

Also, the following (left with the Clerk May fourth) :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, May 4, 1889. }

To the Assembly :

Assembly bill No. 936, entitled "An act requiring the Comptroller and Superintendent of Public Instruction to adjust the accounts of the State with the several counties thereof," is herewith returned without approval.

Without passing upon the merits of the main object of this bill, it appears at least to be incomplete. The bill requires the Comptroller and Superintendent of Public Instruction to credit certain counties with such sums as have been charged to and paid by said counties since 1880, on account of State taxes based upon property exempted by law from local taxation for State purposes. In case the counties provided for had not refunded such of the taxes referred to as they have improperly collected, then such counties have lost nothing, and are not entitled to the credit which this bill would give them. If the main object of the bill is meritorious, a saving clause should be added, providing that no county should be credited with any amount so collected but not refunded. The recent adjournment of the Legislature has prevented a recalling of the bill for amendment.

DAVID B. HILL.

On motion of Mr. Yates, said bill and the accompanying message was laid upon the table.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 26, 1889. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill, Int. No. 1175, entitled "An act to amend and revise chapter 540 of the Laws of 1884, entitled 'An act to revise, consolidate and amend the several acts constituting the charter of the village of Mount Morris.'"

DAVID B. HILL.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Greene	McCann	Rhodes
Ainsworth	Coon	Groat	McCarren	Rice
Andrus	Cottrell	Guenther	McKenzie	Roesch
Baker, A. B.	Curtis	Haffner	McMaster	Saunders
Barton	Davidson	Haggerty	Mead	Saxton
Bauer	Decker	Hamilton	Mesick	Schaaff
Blake	Demarest	Harwood	Miley	Sperry
Blanchfield	Dinehart	Hughes	Moffitt	Stevens
Blumenthal	Dinkelspiel	Husted	Moody	Sullivan
Brown	Duffy	Kelly	Mullaney	Treadway
Brownell	Dunlap	Kent	Murray	Van Gorder
Bush, G. H.	Enz	Kimball	Newschafer	West
Cheney	Fish	Lane	Nixon	Whipple

Clark, J.	Fitts	Larmon	O'Neil	Yates
Clarke, C. C.	Gibbs	Le Roy	Pearsall	Yetman
Comstock	Graham	Little	Peck	Young

The vote upon the final passage of said bill having been reconsidered, On motion of Mr. Sheehan, and by unanimous consent, the same was laid upon the table.

Mr. Hitt offered for the consideration of the House a resolution, in the words following :

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 446, entitled "An act to provide for the care and custody of the estates of persons sentenced to State prison for life," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Walters offered for the consideration of the House a resolution, in the words following :

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 592, entitled "An act to authorize the Board of Claims to hear, audit and determine the claim or claims of William Fuller and sons against the State, and to make an award therefor," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate bill (No. 261) entitled "An act to revise, amend and consolidate the several acts in relation to the city of Hudson, and to revise and amend the charter of said city" (Rec. No. 242), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Fitts	Loder	Pearsall
Ainsworth	Cottrell	Gibbs	Martin	Peck
Andrus	Cronin	Graham	Mase	Saunders
Baker, A. B.	Crosby	Greene	Maynard	Schaaff
Barton	Curtis	Groat	McCann	Sheldon
Bauer	Davidson	Guenther	McCarren	Sperry
Blake	Decker	Haffner	McKenzie	Stevens
Blanchfield	Demarest	Haggerty	McLaughlin	Strassburg
Brown	Dinehart	Harwood	McMaster	Sullivan
Brownell	Dinkelspiel	Hughes	Mead	Treadway
Bush, G. H.	Duffy	Husted	Mesick	Van Gorder
Cheney	Dunham	Kent	Miley	Walters

Clark, J.	Dunlap	Kimball	Moffitt	West
Clarke, C. C.	Endres	Lane	Murray	Whipple
Comstock	Enz	Larmon	Newschafer	Yates
Connelly	Fish	Lewis	O'Neil	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The bill (No. 797), entitled "An act to regulate the compensation of the board of supervisors of the county of Columbia," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Haffner	Mead	Schaaff
Andrus	Demarest	Harwood	Miley	Sheehan
Baker, A. B.	Dinehart	Hitt	Moffitt	Smith, T.
Baker, A. H.	Dinkelspiel	Hornidge	Moody	Sperry
Barton	Duffy	Hughes	Mullaney	Stevens
Bauer	Dunham	Husted	Murray	Sullivan
Blanchfield	Dunlap	Kent	Newschafer	Tefft
Brown	Endres	Kerrigan	Nixon	Towne
Brownell	Enz	King	O'Neil	Treadway
Cheney	Fish	Lewis	Pearsall	Van Gorder
Clarke, C. C.	Fitts	Little	Peck	Walters
Comstock	Flaherty	Loder	Rhodes	West
Coon	Gibbs	Maynard	Roesch	Whipple
Cottrell	Graham	McCann	Saunders	Yates
Cronin	Greene	McKenzie	Savery	Young
Crosby	Groat	McLaughlin	Saxton	Youngman
Davidson	Guenther	McMaster		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1200) entitled "An act to provide for the construction and maintenance of a system of sewers in the city of Hornellsville, N. Y.," having been announced for a third reading,

On motion of Mr. Acker, and by unanimous consent, the same was amended as follows:

Section 4, line 5, strike out the words "the rate of" and insert in place thereof the words "a rate not to exceed."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Davidson	Hitt	McMaster	Sheldon
Ainsworth	Decker	Hughes	Mead	Smith, T.
Baker, A. B.	Dinehart	Husted	Moffitt	Sperry
Baker A. H.	Dinkelspiel	Kelly	Moody	Stevens
Barton	Donaldson	Kent	Mullaney	Sullivan
Bauer	Duffy	Kerrigan	Murray	Tefft
Blanchfield	Dunlap	Kimball	Newschafer	Towne
Brown	Endres	Lane	Nixon	Treadway
Bush, G. H.	Enz	Larmon	O'Neil	Van Gorder
Cheney	Fish	Loder	Pearsall	Walters
Clark, J.	Gallup	Longley	Peck	West
Clarke, C. C.	Gibbs	Mase	Roesch	Whipple
Connelly	Graham	McCann	Saunders	Yates
Coon	Groat	McCarren	Savery	Yetman
Cottrell	Guenther	McKenzie	Saxton	Young
Cronin	Haggerty	McLaughlin	Schaaff	Youngman
Curtis	Harwood			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 190) entitled "An act to provide for the organization and regulation of natural gas companies, being 'An act supplemental to chapter 611 of the Laws of 1875, entitled An act to provide for the organization and regulation of certain business corporations'" (Rec. No. 143), having been announced for a third reading,

On motion of Mr. Cottrell, and by unanimous consent, the same was amended as follows:

Section 3, line 6 (printed bill), after the word "this" insert the words "or the preceding."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Davidson	Haffner	Maynard	Roesch
Ainsworth	Decker	Haggerty	McCann	Saunders
Andrus	Demarest	Harwood	McCarren	Sheehan
Baker, A. B.	Dinehart	Hughes	McKenzie	Sheldon
Baker, A. H.	Dinkelspiel	Husted	McMaster	Smith, T.
Barton	Duffy	Kelly	Mead	Stevens
Bauer	Dunham	Kent	Mesick	Sullivan
Blanchfield	Dunlap	Kimball	Moffitt	Tefft
Blumenthal	Endres	Lane	Moody	Towne
Cheney	Enz	Larmon	Mullaney	Treadway
Clark, J.	Fish	Lewis	Murray	Van Gorder
Clarke, C. C.	Fitts	Little	Newschafer	Walters

Comstock	Gibbs	Loder	Nixon	West
Connelly	Graham	Longley	O'Neil	Whipple
Coon	Greene	Martin	Pearsall	Yetman
Cottrell	Groat	Mase	Rice	Young
Curtis	Guenther			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The bill (No. 335) entitled "An act to amend chapter 241 of the Laws of 1883, entitled 'An act to incorporate the International Committee of Young Men's Christian Associations,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Harwood	McMaster	Saxton
Ainsworth	Curtis	Hitt	Mead	Schaaff
Andrus	Davidson	Hornidge	Miley	Sheldon
Baker, A. B.	Decker	Hughes	Moffitt	Smith, T.
Baker, A. H.	Demarest	Kimball	Moody	Sperry
Barton	Dinehart	Lane	Mullaney	Stevens
Bauer	Dinkelspiel	Larmon	Murray	Tefft
Blanchfield	Duffy	Little	Newschafer	Towne
Brownell	Dunham	Loder	Nixon	Treadway
Bush, G. H.	Dunlap	Longley	O'Neil	Van Gorder
Cheney	Fish	Mase	Pearsall	Walters
Clark, J.	Fitts	Maynard	Peck	West
Clarke, C. C.	Gibbs	McCann	Rhodes	Whipple
Comstock	Groat	McCarren	Roesch	Yates
Coon	Guenther	McKenzie	Saunders	Yetman
Cottrell	Haffner	McLaughlin	Savery	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 882) entitled "An act relating to paving, repaving and repairing certain streets in the city of New York, and the levying of assessments to pay the expense thereof, as a substitute for covenants for paving, repaving and repairing said streets," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Coon	Hitt	McLaughlin	Savery
Baker, A. B.	Cottrell	Hornidge	McMaster	Schaaff
Baker, A. H.	Crosby	Hughes	Mead	Sheldon

Barton	Curtis	Husted	Miley	Smith, T.
Bauer	Davidson	Kent	Moffitt	Stevens
Blake	Decker	Kerrigan	Moody	Sullivan
Blanchfield	Dinehart	Kimball	Mullaney	Tefft
Blumenthal	Dinkelspiel	Lane	Murray	Towne
Brown	Dunlap	Larmon	Newschafer	Treadway
Brownell	Enz	Lewis	Nixon	Van Gorder
Bush, G. H.	Fish	Little	O'Neil	Walters
Cheney	Fitts	Longley	Pearsall	West
Clark, J.	Graham	Maynard	Peck	Whipple
Clarke, C. C.	Groat	McCann	Roesch	Yetman
Comstock	Hamilton	McCarren	Saunders	Young
Connelly	Harwood	McKenzie		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1073) entitled "An act to repeal subdivision 11 of section 75 of chapter 6 of title 3 of part 2 of the Revised Statutes, relating to distribution of personal estate of intestates among relatives," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Guenther	Maynard	Roesch
Ainsworth	Davidson	Haffner	McCann	Saunders
Baker, A. B.	Decker	Hamilton	McCarren	Savery
Baker, A. H.	Demarest	Harwood	McKenzie	Schaaff
Barton	Dinehart	Hitt	McLaughlin	Sheehan
Bauer	Dinkelspiel	Hughes	Mead	Sheldon
Blanchfield	Duffy	Kelly	Miley	Smith, M. A.
Blumenthal	Dunham	Kent	Moffitt	Sperry
Brown	Dunlap	Kerrigan	Moody	Sullivan
Brownell	Edwards	Lane	Mullaney	Tefft
Bush, G. H.	Fish	Larmon	Murray	Treadway
Clark, J.	Fitts	Lewis	Newschafer	Van Gorder
Clarke, C. C.	Gallup	Little	Nixon	Walters
Comstock	Gibbs	Loder	O'Neil	West
Connelly	Graham	Longley	Pearsall	Whipple
Coon	Greene	Martin	Rhodes	Yetman
Cottrell	Groat	Mase	Rice	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 687) entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of purchasing school lots and erecting, enlarging, repairing and furnishing school buildings" (Rec. No. 308), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Guenther	Maynard	Saunders
Ainsworth	Curtis	Haffner	McCann	Savery
Andrus	Davidson	Hamilton	McCarren	Schaaff
Baker, A. B.	Decker	Harwood	McMaster	Sheehan
Baker, A. H.	Demarest	Hitt	Mead	Sheldon
Barton	Dinehart	Hughes	Miley	Smith, M. A.
Bauer	Dinkelspiel	Husted	Moffitt	Stevens
Blake	Donaldson	Kelly	Moody	Tefft
Blanchfield	Duffy	Kent	Murray	Treadway
Brown	Dunlap	Kerrigan	Nixon	Upson
Brownell	Edwards	Larmon	O'Neil	Van Gorder
Bush, G. H.	Endres	Le Roy	Pearsall	Walters
Cheney	Enz	Lewis	Peck	West
Clarke, C. C.	Fish	Little	Rhodes	Yates
Connelly	Fitts	Loder	Roesch	Yetman
Coon	Graham	Longley	Ryan	Young
Cottrell				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 586) entitled "An act to amend section 597 of the Code of Criminal Procedure, relating to bail" (Rec. No. 253), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Haffner	Maynard	Rice
Andrus	Curtis	Haggerty	McCann	Roesch
Baker, A. B.	Davidson	Harwood	McCarren	Saunders
Baker, A. H.	Decker	Hitt	McKenzie	Sheehan
Barton	Demarest	Hughes	McLaughlin	Sheldon
Bauer	Dinehart	Husted	McMaster	Smith, M. A.
Blake	Dinkelspiel	Kent	Mead	Smith, T.
Blanchfield	Duffy	Kimball	Miley	Stevens
Brown	Dunham	Lane	Moffitt	Sullivan
Brownell	Dunlap	Larmon	Moody	Treadway
Bush, G. H.	Edwards	Le Roy	Murray	Van Gorder
Clark, J.	Enz	Lewis	Newschafer	Walters

Clarke, C. C.	Fish	Little	O'Neil	West
Comstock	Graham	Loder	Pearsall	Whippie
Connelly	Greene	Longley	Rhodes	Young
Cottrell	Guenther	Mase		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The Senate bill (No. 272) entitled "An act conferring jurisdiction upon the board of claims to hear, audit and determine the claim of John C. Frischknecht against the State" (Rec. No. 124), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Guenther	Martin	Pearsall
Ainsworth	Cottrell	Haffner	Maynard	Peck
Andrus	Crosby	Haggerty	McCann	Rhodes
Baker, A. B.	Curtis	Harwood	McCarren	Rice
Baker, A. H.	Davidson	Hughes	McKenzie	Roesch
Barton	Decker	Husted	McLaughlin	Saunders
Bauer	Demarest	Kelly	McMaster	Savery
Blake	Dinehart	Kent	Mead	Saxton
Blanchfield	Duffy	Kimball	Mesick	Schaaff
Blumenthal	Dunham	Lane	Miley	Sheldon
Brown	Dunlap	Larmon	Moffitt	Smith, M. A.
Brownell	Enz	Le Roy	Moody	Smith, T.
Bush, G. H.	Fitts	Lewis	Murray	Stevens
Clark, J.	Gallup	Little	Newschafer	Treadway
Clarke, C. C.	Graham	Loder	Nixon	Walters
Comstock	Greene	Longley	O'Neil	Young
Connelly	Groat			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1215) entitled "An act to change the name of the Manhattan Dispensary, in the city of New York," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 2 }

Those who voted in the affirmative, were

Acker	Connelly	Fish	Longley	Nixon
Ainsworth	Coon	Fitts	Martin	Rhodes
Andrus	Cottrell	Graham	Maynard	Savery

Baker, A. B.	Cronin	Greene	McCann	Schaaff
Baker, A. H.	Crosby	Groat	McCarren	Sheldon
Barton	Curtis	Guenther	McKenzie	Smith, T.
Bauer	Davidson	Haffner	McLaughlin	Sperry
Blake	Decker	Haggerty	McMaster	Stevens
Blanchfield	Demarest	Harwood	Mead	Sullivan
Blumenthal	Dinehart	Hitt	Miley	Tefft
Brownell	Dinkelspiel	Hughes	Moffitt	Treadway
Bush, G. H.	Duffy	Kelly	Moody	Van Gorder
Cheney	Dunham	Larmon	Mullaney	West
Clark, J.	Dunlap	Lewis	Murray	Whipple
Clarke, C. C.	Endres	Little	Newschafer	Yates
Comstock	Enz	Loder		

Those who voted in the negative, were

Husted Roesch

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1203) entitled "An act to amend chapter 276 of the Laws of 1885, entitled 'An act to amend chapter 489 of the Laws of 1879, entitled An act to regulate the issuance of policies and the reinsurance thereof by fire insurance companies transacting business in this State,'" having been announced for a third reading,

On motion of Mr. Husted, and by unanimous consent, said bill was recommitted to the committee on insurance, retaining its place on the order of third reading.

The bill (No. 1212) entitled "An act to incorporate the Buffalo and Niagara Power and Drainage Company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, three-fifths being present.

{ AYES 75 }
{ NOES 5 }

Those who voted in the affirmative, were

Acker	Davidson	Guenther	McCann	Ryan
Ainsworth	Decker	Haffner	McCarren	Saunders
Andrus	Demarest	Haggerty	McLaughlin	Savery
Baker, A. B.	Dinehart	Hornidge	McMaster	Sheehan
Baker, A. H.	Dinkelspiel	Hughes	Mesick	Sheldon
Barton	Duffy	Husted	Miley	Smith, M. A.
Bauer	Dunlap	Kelly	Moffitt	Smith, T.
Blake	Endres	Kent	Moody	Stevens
Blanchfield	Fish	Kerrigan	Mullaney	Sullivan
Brownell	Fitts	Kimball	Murray	Tefft
Cheney	Gallup	Little	Newschafer	Treadway
Clark, J.	Gibbs	Loder	Nixon	Van Gorder
Clarke, C. C.	Graham	Longley	O'Neil	West
Comstock	Greene	Martin	Pearsall	Yates
Cronin	Groat	Maynard	Peck	Yetman

Those who voted in the negative, were

Blumenthal Bush, G. H. Connelly Coon Crosby

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 503) entitled "An act to amend sections 1093, 1106, 1108, 1097, 1109, 1113, 1117, 1118, 1119 and 1123 of the Code of Civil Procedure, and to repeal sections 1114, 1115 and 1116 of said code, relating to trial jurors in the city and county of New York" (Rec. No. 305), having been announced for a third reading,

On motion of Mr. Saxton, and by unanimous consent, the same was amended as follows:

Section 11, line 9, strike out the word "cunningly" and insert the word "knowingly."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Graham	Maynard	Rice
Ainsworth	Cronin	Groat	McAdam	Ryan
Andrus	Crosby	Haffner	McCann	Saunders
Baker, A. B.	Curtis	Haggerty	McCarren	Savery
Barton	Davidson	Hamilton	McKenzie	Sheehan
Bauer	Decker	Hitt	McLaughlin	Sheldon
Blake	Demarest	Hornidge	McMaster	Sperry
Blanchfield	Dinkelspiel	Hughes	Mead	Sullivan
Blumenthal	Duffy	Husted	Mesick	Tefft
Bush, G. H.	Dunlap	Kelly	Miley	Towne
Cheney	Edwards	Kent	Miller	Treadway
Clark, J.	Endres	Larmon	Moffitt	Van Gorder
Clarke, C. C.	Enz	Little	Moody	West
Comstock	Fish	Loder	Newschafer	Whipple
Connelly	Fitts	Longley	Nixon	Yates
Coon	Gallup	Martin	Pearsall	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The bill (No. 1077) entitled "An act to amend chapter 417 of the Laws of 1878, entitled "An act to provide for the laying out and improvement of the public squares and places established in Fourth avenue, in the city of New York, by chapter 528 of the Laws of 1873," and to provide means for the purposes of said act," having been announced for a third reading,

On motion of Mr. Crosby, and by unanimous consent, the same was amended by striking out, in section 2, line 6, printed bill, the word "twenty-five" and inserting the word "forty."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Haffner	McKenzie	Schaaff
Baker, A. B.	Decker	Haggerty	McMaster	Sheehan
Barton	Demarest	Hamilton	Mead	Sheldon
Bauer	Dinkelspiel	Hayes	Miller	Smith, M. A.
Blake	Dunham	Hornidge	Moody	Smith, T.
Blumenthal	Dunlap	Hughes	Murray	Sperry
Bush, G. H.	Edwards	Husted	Newschafer	Strassburg
Cheney	Endres	Kelly	Nixon	Sullivan
Clark, J.	Enz	Kent	Pearsall	Tefft
Clarke, C. C.	Fish	Kerrigan	Rhodes	Van Gorder
Comstock	Fitts	King	Rice	Walters
Connelly	Gallup	Lane	Roesch	West
Coon	Gibbs	Larmon	Ryan	Whipple
Cottrell	Graham	Maynard	Saunders	Yates
Cronin	Groat	McCann	Savery	Yetman
Crosby	Guenther	McCarren	Saxton	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 450) entitled "An act to amend chapter 391 of the Laws of 1885, entitled 'An act concerning the claim of William McDonald for damages on account of imprisonment under a warrant of the Senate of the State of New York'" (Rec. No. 259), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 73 }
{ NOES 5 }

Those who voted in the affirmative, were

Andrus	Edwards	Husted	Mesick	Savery
Blake	Endres	Kelly	Miley	Saxton
Blanchfield	Fish	Kent	Miller	Schaaff
Brownell	Fitts	Kerrigan	Moffitt	Smith, M. A.
Cheney	Gibbs	Kimball	Moody	Smith, T.
Clarke, C. C.	Graham	Lane	Murray	Sullivan
Comstock	Greene	Larmon	Newschafer	Tefft
Connelly	Groat	Little	Nixon	Towne
Coon	Haffner	Longley	O'Neil	Treadway
Cronin	Hamilton	Martin	Peck	Van Gorder
Curtis	Harwood	Mase	Rhodes	Walters
Demarest	Hayes	McCann	Rice	West

Dinkelspiel	Hitt	McCarren	Roesch	Whipple
Duffy	Hornidge	McKenzie	Ryan	Yates
Dunham	Hughes	McLaughlin		

Those who voted in the negative, were

Acker	Bush, G. H.	Mead	Pearsall	Saunders
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Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, the following entitled Assembly bills, with a message that they have concurred in the passage of the same :

"An act to secure more fully the independence of electors at public elections, to enforce the secrecy of the ballot and to provide for the printing and distribution of ballots at public expense." (No. 728.)

"An act to authorize the Board of Claims to hear, audit and determine the claim or claims of William Fuller and sons against the State, and to make an award therefor." (No. 592.)

"An act to provide for the care and custody of the estates of persons sentenced to State prison for life." (No. 446.)

Ordered, That the Clerk deliver said resolutions to the Governor.

The Senate sent for concurrence the following entitled bill:

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in so far as the same regulates the construction of buildings in said city" (Rec. No. 321), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Haffner	Maynard	Roesch
Andrus	Curtis	Hamilton	McCann	Ryan
Baker, A. B.	Davidson	Harwood	McCarren	Saunders
Baker, A. H.	Decker	Hayes	McKenzie	Savery
Barton	Demarest	Hitt	McLaughlin	Schaaff
Bauer	Duffy	Hornidge	McMaster	Sheldon
Blanchfield	Dunham	Hughes	Mesick	Smith, T.
Blumenthal	Dunlap	Husted	Miley	Sperry
Brown	Edwards	Kelly	Moffitt	Sullivan
Brownell	Endres	Kert	Moody	Towne
Bush, G. H.	Enz	Kerrigan	Murray	Treadway
Cheney	Fish	Kimball	Newschafer	Van Gorder
Clark, J.	Fitts	Lane	Nixon	Walters

Clarke, C. C.	Gallup	Larmon	O'Neil	West
Connelly	Gibbs	Loder	Pearsall	Whipple
Coon	Graham	Longley	Peck	Young
Cottrell	Groat	Martin	Rhodes	Speaker
Cronin	Guenther	Mase	Rice	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1113) entitled "An act to provide for the erection and maintenance of a free public bathing-house in the city of New York," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Hamilton	McCann	Rice
Baker, A. B.	Davidson	Harwood	McCarren	Roesch
Barton	Decker	Hayes	McKenzie	Saunders
Bauer	Demarest	Hitt	McLaughlin	Savery
Blake	Dinkelspiel	Hornidge	McMaster	Saxon
Blanchfield	Duffy	Hughes	Mesick	Schaaff
Blumenthal	Dunham	Husted	Miley	Sheldon
Brownell	Edwards	Kelly	Miller	Smith, M. A.
Cheney	Endres	Kent	Moffitt	Smith, T.
Clark, J.	Enz	Kerrigan	Moody	Sullivan
Clarke, C. C.	Fish	Kimball	Murray	Towne
Comstock	Fitts	Lane	Newschafer	Walters
Connelly	Gibbs	Larmon	Nixon	West
Coon	Graham	Little	O'Neil	Whipple
Cottrell	Groat	Loder	Pearsall	Yates
Cronin	Guenther	Longley	Peck	Yetman
Crosby	Haffner	Maynard	Rhodes	Young

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (Rec. No. 234) entitled "An act to create two additional local inferior courts in the city of Brooklyn," having been announced for a third reading,

On motion of Mr. McCarren, and by unanimous consent, the same was amended as follows:

Section 2, line 2, strike out the word "five" and insert the word "thirty."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
 { NOES 1 }

Those who voted in the affirmative, were

Acker	Duffy	Husted	Mesick	Sheldon
Andrus	Edwards	Kelly	Miley	Smith, M. A.
Baker, A. B.	Endres	Kent	Moffitt	Smith, T.
Bauer	Enz	Kerrigan	Moody	Sperry
Brown	Fitts	Lane	Murray	Sullivan
Brownell	Graham	Larmon	Nixon	Tefft
Cheney	Greene	Little	Pearsall	Treadway
Clarke, C. C.	Guenther	Longley	Peck	Van Gorder
Connelly	Haffner	Martin	Rhodes	Walters
Cottrell	Haggerty	Maynard	Rice	West
Curtis	Hamilton	McCann	Roesch	Whipple
Davidson	Harwood	McCarren	Ryan	Yates
Decker	Hayes	McKenzie	Saunders	Yetman
Demarest	Hitt	McLaughlin	Saxton	Young
Dinehart	Hornidge	McMaster	Schaaff	Speaker
Dinkelspiel	Hughes	Mead	Sheehan	

For the negative,

Crosby

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The bill (No. 1208) entitled "An act to amend an act entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn, with reference to the department of parks,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
 { NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Fitts	Maynard	Rice
Andrus	Cronin	Groat	McCarren	Roesch
Baker, A. B.	Crosby	Guenther	McKenzie	Savery
Barton	Curtis	Haffner	McLaughlin	Saxton
Bauer	Davidson	Hamilton	McMaster	Schaaff
Blake	Decker	Harwood	Mead	Sheldon
Blanchfield	Demarest	Hayes	Miley	Smith, M. A.
Blumenthal	Dinehart	Hitt	Moffitt	Sperry
Brown	Dinkelspiel	Hughes	Moody	Stevens
Brownell	Duffy	Kent	Murray	Tefft
Cheney	Dunham	Kimball	Newschafer	Treadway
Clark, J.	Dunlap	King	Nixon	Van Gorder
Clarke, C. C.	Edwards	Lane	O'Neil	Walters

Comstock	Endres	Larmon	Pearsall	West
Connelly	Enz	Little	Peck	Whipple
Coon	Fish	Loder	Rhodes	Yates

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 539, entitled "An act conferring jurisdiction upon the Board of Claims to hear and determine certain claims against the State, and to make awards" (Rec. No. 282), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill Int. No. 447, entitled "An act for the relief of Michael Dolan and George L. Loutrel" (Rec. No. 178), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill, Int. No. 468, entitled "An act to amend chapter 133 of the Laws of 1847, entitled 'An act authorizing the incorporation of rural cemetery associations, as amended by chapter 280 of the Laws of 1852, and as amended by chapter 238 of the Laws of 1854'" (Rec. No. 160), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Leave of absence was granted to Mr. de Peyster indefinitely.

The privileges of the floor were extended to Hon. J. M. Martin.

The Senate bill (Rec. No. 102) entitled "An act to amend chapter 314 of the Laws of 1874, entitled 'An act to establish a board of police and fire commissioners of the city of Utica,' as amended by chapter 423, Laws of 1876; chapter 474, Laws of 1883; chapter 93, Laws of 1884; chapter 140, Laws of 1886; chapter 541, Laws of 1886; chapter 607, Laws of 1887, and to limit the amount to be expended by said board," having been announced for a third reading,

On motion of Mr. Kent, and by unanimous consent, the same was amended as follows:

Section 4, last line, strike out the word "fifty-five" and insert the word "sixty."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Demarest	Harwood	McKenzie	Savery
Baker, A. B.	Dinehart	Hitt	McMaster	Saxton
Bauer	Dinkelspiel	Hughes	Mesick	Schaaff
Blake	Duffy	Husted	Miley	Sheehan
Blanchfield	Edwards	Kelly	Moody	Sheldon
Blumenthal	Endres	Kent	Newschafer	Smith, M. A.
Cheney	Enz	Kerrigan	Nixon	Smith, T.
Clark, J.	Fish	Kimball	O'Neil	Sperry
Clarke, C. C.	Fitts	Lane	Pearsall	Stevens
Comstock	Gallup	Larmon	Peck	Tefft
Coon	Gibbs	Loder	Rhodes	Treadway
Cottrell	Graham	Longley	Rice	West
Crosby	Greene	Martin	Roesch	Whipple
Curtis	Groat	Maynard	Ryan	Yates
Davidson	Haffner	McCann	Saunders	Young
Decker	Haggerty	McCarren		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with an amendment.

The bill (No. 1103) entitled "An act to release to George Feller the title and interest of the people of the State of New York in and to certain lands in the county of Allegany, descended to him as heir-at-law of Christian Feller, his son, late of the town of Willing, in said county, deceased," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Andrus	Cronin	Hayes	McCann	Saunders
Baker, A. B.	Crosby	Hitt	McKenzie	Savery
Baker, A. H.	Curtis	Hornidge	McLaughlin	Saxton
Barton	Decker	Hughes	McMaster	Schaaff
Bauer	Demarest	Husted	Mead	Sheldon
Blake	Dinehart	Kelly	Mesick	Smith, M. A.
Blanchfield	Dinkelspiel	Kent	Miley	Smith, T.
Blumenthal	Dunham	Kerrigan	Moffitt	Sperry
Brown	Edwards	Kimball	Moody	Stevens

Brownell	Endres	Lane	Murray	Towne
Bush, G. H.	Fish	Larmon	Newschafer	Treadway
Cheney	Fitts	Lewis	Nixon	Van Gorder
Clark, J.	Gallup	Little	O'Neil	Walters
Clarke, C. C.	Groat	Loder	Pearsall	West
Comstock	Guenther	Longley	Peck	Whipple
Connelly	Haffner	Martin	Rhodes	Yates
Coon	Haggerty	Mase	Rice	Young
Cottrell	Harwood	Maynard	Roesch	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Yates, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill (No. 1026), entitled "An act to amend chapter 299 of the Laws of 1883, entitled 'An act to provide for the enrollment of the militia, for the organization and government of the national guard of the State of New York, and for the public defense, and entitled the Military Code', as amended by chapters 91, 322 and 323, Laws of 1884; chapters 268 and 310, Laws of 1885; chapters 412 and 487, Laws of 1886; chapter 649, Laws of 1887, and chapter 332, Laws of 1888," and the same was ordered to a third reading, and referred to the committee on revision.

The Senate bill (No. 370) entitled "An act to amend chapter 314 of the Laws of 1858, entitled 'An act to declare and extend the powers of executors, assignees, receivers and other trustees, and to protect the rights of creditors and others against frauds, and for other purposes'" (Rec. No. 145), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Davidson	Haffner	McCarren	Savery
Baker, A. B.	Decker	Haggerty	McKenzie	Saxton
Baker, A. H.	Demarest	Hamilton	McMaster	Schaaff
Bauer	Dinehart	Harwood	Mead	Sheehan
Blanchfield	Dinkelspiel	Hitt	Mesick	Sheldon
Brown	Dunham	Hornidge	Miley	Smith, M. A.
Brownell	Edwards	Hughes	Moffitt	Sperry
Bush, G. H.	Endres	Husted	Moody	Tefft
Cheney	Enz	Kelly	Murray	Towne
Clarke, C. C.	Fish	Kent	Newschafer	Treadway
Comstock	Fitts	Kerrigan	Nixon	Walters
Connelly	Gallup	Kimball	O'Neil	West
Coon	Graham	Lane	Rice	Whipple
Cottrell	Greene	Loder	Roesch	Yates
Cronin	Groat	Longley	Ryan	Young
Curtis	Guenther	McCann	Saunders	

* *Ordered*, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the following entitled bills :

"An act to amend chapter 617 of the Laws of 1868, entitled 'An act to incorporate the Round Lake Camp Meeting Association of the Methodist Episcopal Church of the Troy Conference.'" (No. 988.)

"An act to authorize villages of the State of New York to establish water rates and collect the same." (No. 477.)

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Hughes presented petitions relative to the sale of cigarettes and tobacco to children; which were referred to the committee on public health.

Also, a petition relative to municipal suffrage to women; which was referred to the committee on the judiciary.

Also, a petition relative to employment of convicts; which was referred to the committee on State prisons.

Messrs. Hughes and Hamilton presented petitions relative to misappropriation of common school moneys; which were referred to the committee on public education.

Mr. Crosby moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, the House adjourned.

TUESDAY, MAY 7, 1889.

The House met pursuant to adjournment.

Prayer by Rev. C. A. S. Heath.

On motion of Mr. Curtis, the journal of yesterday was approved without being read.

Mr. Curtis offered for the consideration of the House a resolution, in the words following:

Resolved, That during the remainder of the session this House meet at 10 A. M. Tuesday, Wednesday, Thursday and Friday, and that there be sessions from 4 to 6 P. M. on Wednesdays and Thursdays, for the third reading of bills in their regular order only, but not to interfere with the sessions already appointed.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Ainsworth introduced a bill entitled "An act to amend section 6 of title 3 of chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction with reference to the powers and privileges of union free school districts, as amended by chapter 90 of the Laws of 1889'" (Int. No. 1226), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Ainsworth, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Hayes	Maynard	Saunders
Ainsworth	Cronin	Hornidge	McAdam	Savery
Aspinall	Curtis	Hughes	McCann	Saxton
Baker, A. B.	Davidson	Husted	McLaughlin	Schaaff
Barton	Decker	Kelly	McMaster	Smith, M. A.
Bauer	Demarest	Kent	Mead	Smith, T.
Blanchfield	Dinkelspiel	Kerrigan	Mesick	Strassburg
Blumenthal	Donaldson	Kimball	Moody	Sullivan
Brown	Enz	King	Mullaney	Van Gorder
Bush, G. H.	Fish	Lane	O'Neil	Walters
Carson	Flaherty	Le Roy	Pearsall	West
Cheney	Gallup	Lewis	Rhodes	Whipple
Clark, J.	Gibbs	Little	Rice	Yates
Clarke, C. C.	Greene	Loder	Roesch	Young
Comstock	Groat	Longley	Ryan	Youngman
Connelly	Hagan	Martin		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Also, a bill entitled "An act to legalize and confirm concurrent resolutions for printing passed by the Legislature of 1889, and certain resolutions passed by the Senate or by the Assembly during the sessions of said Legislature" (Int. No. 1227), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Ainsworth, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and to be read the third time on May eighth.

Mr. Yates introduced a bill entitled "An act requiring the Comptroller and the Superintendent of Public Instruction to adjust the accounts of the State with the several counties thereof" (Int. No. 1228), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Yates, and by unanimous consent, said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Haggerty	McCarren	Saxton
Ainsworth	Crosby	Hamilton	McKenzie	Schaaff
Andrus	Davidson	Harwood	McLaughlin	Smith, M. A.

Aspinall	Decker	Hornidge	Mesick	Smith, T.
Baker, A. B.	Demarest	Hughes	Miley	Sperry
Baker, A. H.	Dinehart	Husted	Miller	Stevens
Barton	Dinkelspiel	Kelly	Moffitt	Strassburg
Bauer	Duffy	Kent	Moody	Sullivan
Blanchfield	Dunham	Kimball	Newschafer	Towne
Blumenthal	Dunlap	Lane	Nixon	Van Gorder
Brownell	Endres	Larmon	O'Neil	Walters
Carson	Enz	Lewis	Pearsall	West
Cheney	Fish	Loder	Peck	Whipple
Clarke, C. C.	Flaherty	Longley	Rice	Yates
Comstock	Greene	Martin	Roesch	Young
Connelly	Groat	Maynard	Ryan	Youngman
Coon	Hagan	McCann	Savery	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1204) entitled "An act to provide for the change of the name of the Foundling Asylum of the Sisters of Charity in the city of New York," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Groat	Little	Rhodes
Ainsworth	Cronin	Haffner	Loder	Rice
Andrus	Curtis	Hagan	Longley	Roesch
Aspinall	Dante	Haggerty	Maynard	Saunders
Baker, A. B.	Davidson	Hamilton	McCarren	Savery
Baker, A. H.	Decker	Hornidge	McLaughlin	Saxton
Barton	Demarest	Hughes	Mead	Schaaff
Bauer	Dinehart	Husted	Mesick	Smith, M. A.
Blanchfield	Dinkelspiel	Kelly	Miley	Smith, T.
Blumenthal	Duffy	Kent	Moffitt	Sperry
Brownell	Dunlap	Kerrigan	Moody	Stevens
Bush, G. H.	Edwards	Kimball	Mullaney	Strassburg
Carson	Endres	Lane	Newschafer	Towne
Cheney	Enz	Larmon	O'Neil	Townsend
Clark, J.	Fish	Le Roy	Pearsall	West
Clarke, C. C.	Graham	Lewis	Peck	Yates
Comstock				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 563) entitled "An act to grant to George A. Streeter and Albert Shear, their heirs, grantees and assigns, the right to build, construct and maintain a dam across the Mohawk river between the State feeder dam and the first aqueduct of the Erie canal

below the city of Schenectady, and to connect it with the bank of the canal feeder on the north side of the river, and to take and use the water from the pond formed by such dam for propelling machinery, and for manufacturing and mechanical purposes" (Rec. No. 250), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Endres	Longley	Roesch
Ainsworth	Coon	Enz	Martin	Ryan
Aspinall	Cottrell	Fish	Maynard	Savery
Baker, A. B.	Cronin	Graham	McCarren	Saxton
Barton	Crosby	Greene	McKenzie	Smith, M. A.
Bauer	Curtis	Groat	Mead	Smith, T.
Blake	Dante	Haffner	Mesick	Sperry
Blanchfield	Davidson	Hagan	Miley	Stevens
Blumenthal	Decker	Hughes	Moody	Van Gorder
Brownell	Demarest	Kimball	Mullaney	Walters
Bush, G. H.	Dinehart	King	Murray	West
Carson	Dinkelspiel	Lane	Newschafer	Whipple
Cheney	Duffy	Larmon	Pearsall	Yates
Clark, J.	Dunham	Le Roy	Peck	Yetman
Clarke, C. C.	Dunlap	Lewis	Rhodes	Young
Comstock	Edwards	Loder	Rice	Youngman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Whipple offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 350, entitled "An act to amend section 290 of chapter 409 of the Laws of 1882, entitled 'An act to revise the statutes of this State relating to banks, banking and trust companies, as amended by chapter 477 of the Laws of 1885,' be recommended to the committee on banks.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Van Gorder moved to take from the table the motion to reconsider the vote by which Senate bill No. 332, entitled "An act to provide for issuing licenses for persons to marry" (Rec. No. 137), was lost, be reconsidered.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 72 }
{ NOES 6 }

Those who voted in the affirmative, were

Acker	Cottrell	Hamilton	Martin	Smith, C.
Ainsworth	Cronin	Hayes	Mase	Smith, M. A.
Aspinall	Crosby	Hitt	Maynard	Sperry
Baker, A. B.	Dinehart	Hornidge	McAdam	Stevens
Barton	Duffy	Hughes	McCarren	Strassburg
Blake	Dunham	Husted	McKenzie	Sullivan
Blanchfield	Dunlap	Kent	McLaughlin	Tefft
Blumenthal	Edwards	Kimball	McMaster	Van Gorder
Brown	Fish	King	Moody	Walters
Brownell	Flaherty	Lane	Nixon	West
Cheney	Gallup	Le Roy	Rhodes	Whipple
Clark, J.	Gibbs	Little	Rice	Yetman
Clarke, C. C.	Groat	Loder	Savery	Young
Connelly	Haffner	Longley	Saxton	Youngman
Coon	Hagan			

Those who voted in the negative, were

Decker	Dinkelspiel	McCann	Pearsall	Roesch
Demarest				

The vote by which said bill was lost having been reconsidered,

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 60 }
{ NOES 34 }

Those who voted in the affirmative, were

Acker	Curtis	Husted	McMaster	Sperry
Ainsworth	Dinehart	Kimball	Mead	Stevens
Aspinall	Dunlap	King	Moody	Strassburg
Baker, A. B.	Edwards	Lane	Nixon	Tefft
Bauer	Fish	Larmon	Peck	Towne
Blumenthal	Fitts	Le Roy	Rhodes	Treadway
Brownell	Flaherty	Little	Rice	Van Gorder
Cheney	Gallup	Loder	Saunders	Walters
Clark, J.	Gibbs	Mase	Savery	West
Comstock	Hamilton	Maynard	Saxton	Whipple
Cottrell	Harwood	McAdam	Smith, C.	Young
Crosby	Hitt	McKenzie	Smith, M. A.	Youngman

Those who voted in the negative, were

Blake	Decker	Groat	Kerrigan	Roesch
Blanchfield	Demarest	Guenther	McCann	Ryan
Carson	Dinkelspiel	Haffner	McCarren	Sullivan
Clarke, C. C.	Duffy	Hayes	Miley	Townsend
Connelly	Endres	Hornidge	Mullaney	Yetman
Coon	Enz	Kelly	Newschafer	Speaker
Cronin	Graham	Kent	Pearsall	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have nonconcurrent in the passage of the same.

The bill (No. 1023) entitled "An act to confirm the action and proceedings of the trustees of the village of Corning, acting as commissioners of highways, on discontinuing portions of State street, Water street and the alley in block 83 in said village," was read the third time.

Mr. Speaker, put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Haffner	Le Roy	Roesch
Ainsworth	Curtis	Hagan	Lewis	Saunders
Andrus	Decker	Haggerty	Little	Saxton
Baker, A. B.	Demarest	Hamilton	Loder	Smith, M. A.
Barton	Dinehart	Harwood	Longley	Sperry
Bauer	Dinkelspiel	Hayes	Mase	Stevens
Blanchfield	Duffy	Hornidge	Maynard	Strassburg
Blumenthal	Dunlap	Hughes	McCann	Tefft
Brown	Edwards	Husted	Mead	Towne
Carson	Endres	Kelly	Moody	Townsend
Cheney	Enz	Kent	Mullaney	Treadway
Clark, J.	Fitts	Kerrigan	Murray	Van Gorder
Comstock	Flaherty	Kimball	Newschafer	West
Connelly	Gibbs	King	Nixon	Whipple
Coon	Graham	Lane	Peck	Yates
Cottrell	Groat	Larmon	Rhodes	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 913) entitled "An act to regulate the salaries of police patrolmen in Long Island City," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dinkelspiel	Hayes	McCann	Saxton
Aspinall	Duffy	Hitt	McLaughlin	Schaaff
Baker, A. B.	Dunham	Hornidge	Mead	Smith, M. A.
Bauer	Dunlap	Hughes	Miley	Smith, T.
Blake	Edwards	Husted	Miller	Stevens
Blanchfield	Endres	Kelly	Moody	Strassburg

Blumenthal	Fish	Kent	Murray	Tefft
Brown	Fitts	Kerrigan	Newschafer	Towne
Brownell	Gallup	Kimball	Nixon	Townsend
Carson	Graham	Lane	O'Neil	Van Gorder
Cheney	Greene	Larmon	Peck	Walters
Clark, J.	Groat	Le Roy	Rhodes	West
Comstock	Haffner	Little	Rice	Whipple
Cronin	Hagan	Longley	Roesch	Yetman
Demarest	Haggerty	Martin	Saunders	Young
Dinehart	Hamilton	Mase	Savery	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 943) entitled "An act to amend section 343 of the Penal Code, relating to wagers, betting and gambling," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 77 }
{ NOES 1 }.

Those who voted in the affirmative, were

Ainsworth	Cottrell	Greene	Little	Rice
Andrus	Cronin	Groat	Loder	Roesch
Aspinall	Crosby	Haggerty	Longley	Saunders
Baker, A. B.	Curtis	Hamilton	Martin	Savery
Baker, A. H.	Dante	Harwood	Mase	Saxton
Bauer	Decker	Hitt	McCann	Schaaff
Blumenthal	Demarest	Hughes	Miley	Smith, C.
Brown	Dinehart	Husted	Miller	Sperry
Brownell	Dunham	Kelly	Moody	Strassburg
Bush, G. H.	Dunlap	Kent	Newschafer	Van Gorder
Carson	Edwards	Kimball	Nixon	Walters
Cheney	Endres	King	O'Neil	West
Clark, J.	Fish	Lane	Pearsall	Yetman
Comstock	Fitts	Larmon	Peck	Young
Connelly	Gallup	Le Roy	Rhodes	Youngman
Coon	Graham			

For the negative,

Hagan

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 113) entitled "An act to amend section 473 of the Code of Civil Procedure, relating to the appointing of guardians ad litem for infant defendants" (Rec. No. 25), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Hayes	Miley	Smith, M. A.
Ainsworth	Crosby	Hitt	Miller	Smith, T.
Andrus	Decker	Hughes	Moody	Sperry
Aspinall	Demarest	Kelly	Murray	Sullivan
Baker, A. B.	Dinehart	Kent	Newschafer	Tefft
Baker, A. H.	Dunham	Kimball	Nixon	Towne
Bauer	Endres	King	O'Neil	Townsend
Blumenthal	Enz	Lane	Pearsall	Van Gorder
Brown	Fish	Larmon	Rhodes	Walters
Brownell	Fitts	Le Roy	Rice	West
Bush, G. H.	Graham	Little	Roesch	Whipple
Carson	Haffner	Loder	Savery	Yates
Cheney	Hagan	Longley	Saxton	Yetman
Clark, J.	Haggerty	McKenzie	Sheehan	Young
Comstock	Hamilton	Mead	Sheldon	Youngman
Connelly	Harwood	Mesick	Smith, C.	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act ratifying and confirming a resolution passed by the board of supervisors of Onondaga county, authorizing the county treasurer of said county to borrow certain moneys" (No. 1205), reported the same with the recommendation that it be amended as follows:

Section 1, line 2, after the word "by" insert the word "the."

At the end of section 1 insert the words "is hereby ratified and confirmed and made of full force and effect as to the object and purposes set forth in said resolution and the authority therein given to the treasurer of the county of Onondaga."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Said bill, having been made a special order, was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Haffner	Mesick	Saxton
Ainsworth	Cottrell	Hitt	Miley	Sheldon
Andrus	Cronin	Kelly	Miller	Smith, M. A.
Aspinall	Crosby	Kent	Moody	Smith, T.
Baker, A. B.	Dante	Kimball	Murray	Sperry

Bauer	Davidson	Lane	Newschafer	Tefft
Blanchfield	Decker	Larmon	Nixon	Towne
Blumenthal	Demarest	Le Roy	O'Neil	Townsend
Brown	Dinehart	Little	Pearsall	Treadway
Brownell	Dinkelspiel	Loder	Peck	Van Gorder
Bush, G. H.	Dunham	Longley	Rhodes	Walters
Carson	Dunlap	Martin	Rice	West
Cheney	Edwards	Mase	Roesch	Whipple
Clark, J.	Endres	McCann	Saunders	Yates
Comstock	Gallup	McKenzie	Savery	Yetman
Connelly	Graham	Mead		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 88) entitled "An act to amend chapter 346 of the Laws of 1859, entitled 'An act concerning the salt springs and the manufacture of salt'" (Rec. No. 14), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, three-fifths being present.

{ AYES 73 }
{ NOES 4 }

Those who voted in the affirmative, were

Acker	Curtis	Haggerty	Longley	Roesch
Andrus	Dante	Hamilton	Martin	Savery
Baker, A. B.	Decker	Harwood	Mase	Saxton
Bauer	Demarest	Hayes	Maynard	Sheldon
Blanchfield	Dinehart	Hornidge	McCarren	Smith, C.
Blumenthal	Dinkelspiel	Husted	Mead	Smith, M. A.
Brownell	Dunham	Kelly	Miley	Smith, T.
Bush, G. H.	Dunlap	Kent	Miller	Sperry
Carson	Edwards	Kerrigan	Murray	Sullivan
Comstock	Endres	Kimball	Newschafer	Tefft
Connelly	Gallup	King	Nixon	Towne
Coon	Gibbs	Lane	O'Neil	Walters
Cottrell	Graham	Lewis	Pearsall	Yates
Cronin	Guenther	Little	Rice	Yetman
Crosby	Haffner	Loder		

Those who voted in the negative, were

Clark, J. McKenzie Van Gorder Whipple

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 370) entitled "An act to establish the compensation of the surrogate of Westchester county," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 80 }
 { NOES 2 }

Those who voted in the affirmative, were

Acker	Cronin	Haggerty	McCann	Savery
Baker, A. B.	Curtis	Hamilton	McCarren	Saxton
Baker, A. H.	Dante	Harwood	McKenzie	Sheehan
Barton	Davidson	Hayes	McLaughlin	Sheldon
Bauer	Demarest	Hornidge	McMaster	Smith, M. A.
Blake	Dinehart	Husted	Mead	Smith, T.
Blanchfield	Dinkelspiel	Kelly	Mesick	Strassburg
Blumenthal	Dunham	Kent	Miley	Towne
Brown	Dunlap	Kimball	Miller	Treadway
Bush, G. H.	Endres	Larmon	Murray	Van Gorder
Carson	Gibbs	Lewis	Newschafer	Walters
Cheney	Graham	Little	Nixon	West
Clark, J.	Greene	Loder	O'Neil	Yates
Clarke, C. C.	Guenther	Longley	Rice	Yetman
Connelly	Haffner	Martin	Roesch	Young
Cottrell	Hagan	Mase	Ryan	Youngman

Those who voted in the negative, were

Crosby King

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 115) entitled "An act conferring jurisdiction upon the Board of Claims to hear, audit and determine the claim of Thomas Killam against the State of New York" (Rec. No. 31), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
 { NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Haggerty	McKenzie	Saxton
Andrus	Curtis	Harwood	McLaughlin	Smith, C.
Aspinall	Dante	Hitt	Mead	Smith, M. A.
Baker, A. B.	Davidson	Hornidge	Miley	Smith, T.
Bauer	Demarest	Hughes	Miller	Stevens
Blanchfield	Dinehart	Kelly	Mullaney	Sullivan
Blumenthal	Dinkelspiel	Kent	Murray	Tefft
Brown	Dunham	Lane	Nixon	Towne
Bush, G. H.	Dunlap	Larmon	O'Neil	Townsend
Carson	Edwards	Lewis	Pearsall	Van Gorder
Cheney	Endres	Little	Rhodes	Walters
Clark, J.	Fish	Loder	Rice	West
Clarke, C. C.	Graham	Longley	Roesch	Whipple
Connelly	Greene	Martin	Ryan	Yates
Coon	Guenther	Maynard	Saunders	Yetman
Cottrell	Haffner	McCann	Savery	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (Rec. No. 46) entitled "An act to amend section 93 of the Code of Civil Procedure, relating to justices' clerks," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Haggerty	McCarren	Saunders
Andrus	Demarest	Hamilton	McKenzie	Savery
Aspinall	Dinehart	Harwood	Mead	Saxton
Baker, A. B.	Dinkelspiel	Hayes	Mesick	Smith, C.
Baker, A. H.	Duffy	Hornidge	Miley	Smith, M. A.
Blanchfield	Dunham	Hughes	Miller	Smith, T.
Brown	Dunlap	Husted	Mullaney	Stevens
Brownell	Edwards	Kelly	Murray	Strassburg
Bush, G. H.	Endres	Lane	Newschafer	Sullivan
Carson	Fish	Larmon	Nixon	Townsend
Cheney	Gibbs	Lewis	O'Neil	Treadway
Clark, J.	Graham	Little	Pearsall	West
Clarke, C. C.	Greene	Longley	Rhodes	Whipple
Connelly	Guenther	Martin	Rice	Yates
Cottrell	Haffner	Maynard	Roesch	Yetman
Curtis	Hagan	McCann	Ryan	Young
Dante				

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same.

The bill (No. 454) entitled "An act to amend section 601 of the Penal Code, relating to receiving deposits in insolvent banks, and for the better protection of depositors in banks, investment, trust, life insurance, fidelity, casualty, mortgage, loan and guarantee companies and associations or with brokers," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Hamilton	McCarren	Ryan
Andrus	Curtis	Hitt	McKenzie	Saunders
Aspinall	Dante	Hornidge	McLaughlin	Saxton
Baker, A. B.	Demarest	Hughes	McMaster	Sheldon

Baker, A. H.	Dinehart	Husted	Mead	Smith, T.
Bauer	Dinkelspiel	Kelly	Miley	Sperry
Blake	Duffy	Kent	Miller	Stevens
Blanchfield	Dunham	Kerrigan	Moody	Strassburg
Blumenthal	Dunlap	King	Murray	Townsend
Brown	Edwards	Lane	Newschafer	Van Gorder
Bush, G. H.	Fish	Larmon	Nixon	Walters
Carson	Graham	Lewis	O'Neil	West
Cheney	Guenther	Little	Peck	Whipple
Clark, J.	Haffner	Martin	Rhodes	Yates
Clarke, C. C.	Hagan	Maynard	Rice	Yetman
Comstock	Haggerty	McCann	Roesch	Young
Coon				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. J. Clark called from the table the bill (Int. No. 1175), entitled "An act to amend and revise chapter 540 of the Laws of 1884, entitled 'An act to revise, consolidate and amend the several acts constituting the charter to the village of Mount Morris.'"

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. J. Clark, and by unanimous consent, the same was amended as follows:

Strike out all after the enacting clause and insert the following :

SECTION 1. The district of country in the town of Mount Morris, in the county of Livingston, comprised in the following bounds, shall be hereafter known and distinguished by the name of "the village of Mount Morris," that is to say, commencing on the south bank of the Genesee river, in the center of Main street, running on the west line of lots number fifty-one, fifty-two, fifty-seven, fifty-eight and sixty-three to the southwest corner of lot sixty-three, south, twenty-four degrees east forty-eight chains; thence on Mill street to be laid out through lot number sixty-four, to the north line of lot number sixty-five, south, fifty-eight and one-half degrees east twelve chains; thence on the north line of lot sixty-five to the north-east corner, north, sixty-six degrees east, thirteen chains and fifty links; thence on the west line of lot number sixty-five and across lots number twenty-nine, thirty, thirty-one, thirty-four and thirty-five to the north line of lot number thirty-eight, south, twenty-four degrees east, forty-seven chains and forty links; thence diagonally across lots thirty-eight and thirty-nine to the south-east corner of lot number forty, south, sixteen and one-half degrees west, thirty-one chains; thence on the south line of lot number forty to the south-west corner of said lot, south, sixty-six degrees west, thirty-three chains and forty links; thence on the west line of lots number forty and thirty-seven to the south-east corner of lot number one hundred and thirty-one, north, twenty-four degrees west, eighteen chains and ninety links; thence on the south line of lots number one hundred and thirty-one and one hundred and thirty to the south-west corner of lot one hundred and thirty, south, sixty-six degrees west, twenty chains and twenty links; thence on the west line of lots number one hundred and thirty and one hundred and fourteen, north, twenty-four degrees west, forty-five

chains; thence across lots number one hundred and fourteen and one hundred and fifteen to the west line of lot number one hundred and sixteen, north, sixty-six degrees east, ten chains and fifty links; thence on the west line of lots number one hundred and sixteen and ninety to a road leading to Francis Yeoman's, north, twenty-four degrees west, twenty-one chains and twenty links; thence in the center of said road south, eighty degrees east, five chains and seventy links; thence in the center of said road south, eighty-one degrees east, six chains and eighty-four links; thence in the center of said road north, eighty-four degrees east, six chains and twenty-eight links; thence in the center of said road to Murray's lane, north, sixty-six degrees east, ten chains and thirty-five links; thence in the center of said lane north, twenty-two and one-half degrees west, eleven chains and thirty links; thence down the ravine to the berme bank of the Genesee Valley canal, north, thirty-six degrees east, four chains and thirty links; thence along the berme bank of the Genesee Valley canal, north, thirty-two and one-half degrees west, three chains and fifty links; thence along said berme bank of said canal north, thirteen degrees west, twenty-three chains; thence along said berme bank to the bridge north, twenty-six degrees west, six chains; thence to the south bank of the Genesee river north, twenty-six degrees west; thence on the south bank of the Genesee river to the place of beginning, about ten chains, according to the survey made by William D. Morgan. The said lots being known according to the survey map of Stephen Rogers of the Mount Morris tract.

§ 2. The inhabitants of said village shall be a corporation by the name of "the village of Mount Morris," and they and their successors may take, hold, purchase and convey such real and personal estate as the purposes of the corporation may require, but no purchase or conveyance of real estate shall be made unless authorized by a vote of the inhabitants of said village liable to taxation for real or personal property, at an annual or special meeting.

§ 3. There shall be an annual meeting of the inhabitants of said village on the last Tuesday in February in each year after this act takes effect. All inhabitants who are qualified to vote at town meetings and who are residents of the village of Mount Morris shall be qualified to vote at all such meetings except for raising taxes. No person otherwise qualified to vote at such meeting shall be allowed to vote upon the questions involving the raising of money by taxation in said village, except those who are taxable inhabitants thereof, on real or personal estate; and all votes to raise money by taxation upon the taxable property of said village shall be by ballot. All meetings of the inhabitants of said village shall be called by notices posted in three public places in said village, at least ten days before the said meeting is to be held, and by a notice published for two successive weeks immediately previous to the time of holding such meeting in a newspaper published in said village, which said notice shall specify the time and place of holding such meeting and the subject to be presented for consideration of the electors and taxpayers. The first annual meeting shall be called by the trustees in office when this act shall take effect, and all subsequent meetings shall be called by order of the board elected pursuant to the provisions of this act. Said

trustees now or hereafter elected may call a special meeting of the inhabitants of said village whenever in their opinion the interests of said village may require such special meeting, but said trustee must call a special meeting of the inhabitants of said village whenever petitioned so to do by twenty-five taxable inhabitants thereof, in case said petition sets forth the reason for requiring such special meeting and the matter to be presented thereat for the consideration of the electors and taxpayers.

§ 4. The officers of said village shall be a president and six trustees, one police justice, two police constables, and three assessors, all of whom shall be electors of said village, and the president, trustees and assessors shall be freeholders in said village, and the said president, assessors and police constables shall be elected at each annual meeting of said village to serve for one year, two of said trustees shall be elected when their terms expire to serve for three years, and the said police justice shall be elected, when his term expires, to serve for two years.

§ 5. The trustees shall, within five days after each annual election, meet and organize, and may at any meeting designate any member to preside at any such meeting and act as president pro tem., in the absence of the president, and shall also elect by ballot one clerk, one treasurer, three fire wardens, one street commissioner and one collector, all of whom shall be electors of said village, and shall hold their office during the pleasure of the trustees and until others are appointed in their stead, and have duly accepted their appointments.

§ 6. The president shall preside at meetings of the board and vote in case of a tie, and shall for every purpose, save that of voting, be ex officio a member of said board of trustees.

§ 7. The president shall be the presiding officer at all meetings of the inhabitants of said village of Mount Morris, and with said trustees shall have the same power as inspectors of general elections of the State of New York, and shall canvass the vote and declare the result.

§ 8. The trustees shall have the care, management and control of the finances and property of said corporation and the custody of the papers and seal belonging to the corporation, and shall keep all buildings of the corporation in repair and insure said buildings against loss or damage by fire, and the trustees shall have power and authority to make, publish, amend and repeal, rules, ordinances and by-laws for the proper government of the said village of Mount Morris and the inhabitants thereof, and not inconsistent with the Laws of the State of New York or of the United States. The said trustees are hereby authorized to adopt by-laws and ordinances for the following purposes :

1. To declare and define the duties and manner of discharging the same of all officers of the corporation whose duties are not specifically prescribed by this act, and to add to the duties of those officers whose duties are thus prescribed if the board of trustees deem necessary, and to fix the compensation of such officers if not fixed by this act.

2. To prevent vice and immorality, preserve the public peace and order, restrain and suppress disorderly houses and houses of ill-fame

or assignation, gambling houses and instruments and devices for gaming.

3. To establish and maintain a police force and prescribe their powers and duties, to erect, procure and maintain a lock-up or designate a place for the detention of persons arrested under this act or any by-law, rule or ordinance, or any breach of law, and to confine such persons therein.

4. To apprehend and punish common prostitutes, vagrants and disorderly persons congregated upon sidewalks, corners or disturbing a public assembly.

5. To employ an attorney or attorneys for the transaction of any matter requiring legal skill.

6. To prevent incumbering street corners, sidewalks, crosswalks or alleys with any material whatever.

7. To prevent or regulate any encroachment on or the erection of any projection from or opposite of any building in or upon any street or sidewalk and cause the same to be removed at the expense of the owner or occupant of the premises, to be collected by tax upon the premises as directed in section thirty-six of this act.

8. To establish and maintain a pound and maintain a keeper thereof.

9. To provide for the lighting of the streets and safety of the lamps.

10. To establish and maintain fire engine, hose and hook and ladder companies.

11. To provide for the purchasing and preparing of fire engines, hooks and ladders, hose and hose-carts, and all necessary apparatus for the same, and renting necessary rooms for the occupancy of the fire companies.

12. To construct and maintain reservoirs, cisterns and supply them with water for use at fires, and to protect and preserve property at fires..

13. To regulate any act, amusement or practice endangering property or persons on the streets or public grounds in said village.

14. To regulate and prevent the running at large of cattle or other animals, and to authorize the impounding and sale of the same for the penalty and cost of keeping and proceedings.

15. To protect trees, to provide for keeping the sidewalks free from snow, ice, dirt and other obstructions, and to direct and compel the cleaning of the streets by the person occupying the premises fronting thereon.

16. To enjoin swimming and bathing in the waters within the boundary of said village.

17. To prevent immoderate driving or riding within the corporate limits, leaving horses untied in the streets, and to authorize any officer to stop any one guilty of such riding or driving in the streets and care for loose or untied horses.

18. To regulate the time, manner and place of keeping and selling vegetables and other agricultural products, meats, fish, and the location of slaughter-houses, and places and houses for storing fertilizers, gunpowder and other explosive materials.

19. To compel the removal and abatement of any public nuisance,

and if not done within such time as the trustees may allow, to cause the same to be removed or abated at the expense of the village and to add the expense thereof to the next tax upon the premises upon or in front of which it was, and to enforce the collection thereof in the manner hereinafter provided for the collection of taxes.

20. To prohibit or regulate all exhibitions or performances for money or hire, or authorize the same on such terms as the trustees shall deem expedient.

21. To restrain and prevent hawking and peddling in the streets, to regulate, restrain and prohibit sales by auction and grant licenses to auctioneers.

22. To regulate the use of candles, kerosene, or burning materials of any kind, or lights or fires in stables or other places.

23. To regulate or prevent all interments within the bounds of the corporation, except in existing cemeteries, and to control the location of any cemeteries within said limits.

24. To keep the roads, avenues, streets, lanes, public buildings and public places of the village in good repair, order and condition; to construct sewers, culverts and drains, regulate and prescribe the width, line and grade of streets, avenues, lanes and sidewalks; to pave, plank or flag roads, streets, crosswalks or sidewalks, lay out and open new roads and streets; to widen, alter and change the grade or otherwise improve roads, avenues, streets, lanes and sidewalks, to drain stagnant waters or ponds, and to raise or fill up low grounds, if nuisances, at the expense of the person owning the same, and to regulate the water courses, ponds and watering places in the said village.

25. To prevent and punish the discharge of firearms, rockets, gunpowder or other fire-works in the roads, avenues, lanes, streets, or other public places of the village, or in the vicinity of any buildings.

26. To contract with any gas, electric light or other company to light the streets of said village, which said contract shall be ratified by the vote of the inhabitants of said village at the annual or special meeting thereof before the same shall become operative.

27. To fill by appointment till the next annual meeting any vacancy that may occur in any office in said village.

28. To establish and maintain a fire limit within said village and to regulate and control the materials used in all buildings within such limit, and no building shall be constructed or repaired within such fire limits without the written consent of the fire wardens of said village.

29. To contract with any person, firm or corporation to do any act that may be lawfully done by said trustees, but the amount to be paid by any such contract shall in no event exceed the appropriation for the act to be done.

30. The board of trustees shall have the power to make and establish all legal by-laws and ordinances necessary to carry out the purposes of this act, print and pay for the same, to enforce such by-laws, rules and ordinances, and to pay the expense of such out of the corporate funds.

31. The trustees shall have the power to prescribe penalties for the violation of any such rules, by-laws and ordinances, not to exceed

one hundred dollars for each offense, but the said by-laws shall be posted in three public places of the village and printed in at least one newspaper published in said village at least ten days before the same shall take effect.

§ 9. The trustees of said village shall have the custody and control of the public cisterns, reservoirs, fire engines and all apparatus for the extinguishment or prevention of fires, and it shall be their duty to see that they are kept in perfect order, and to see that the by-laws and regulations relative to the prevention or extinguishment of fires, the inspection of chimneys, ovens, stoves and fire places are duly enforced.

§ 10. It shall be the duty of such trustees to present at each annual meeting of the inhabitants thereof a detailed statement, signed by them, showing from what source the moneys paid into the treasury of said village during the previous year have been received, and to whom and for what purposes the money from said treasury during the same period has been paid; how much, if any, sum of money received into said treasury during the year for any specific purpose, voted at any annual or special meeting in such year has been so applied, and how much thereof remains on hand; what sidewalks have been made or repaired in said year at the expense of the owner; what at the expense of the village; and the amount of such expenditures in detail with how much, if any, thereof has been collected or received by said trustees; the names of the owners of lots from whom any sums are due, and the amount due from them respectively; also a detailed statement subscribed by them of the estimated expense of the village for the ensuing year, to meet which taxes may lawfully be raised, specifying each item of anticipated expense, which statement shall be filed with the clerk of said village. It shall be the duty of the board of trustees to cause to be published once in each year, and at least twenty days before the annual meeting, in at least one newspaper published in said village, a full and true copy of the statement in this section required and provided for.

§ 11. The trustees are hereby authorized to provide engines and all apparatus necessary for the extinguishment of fires, and to organize the necessary companies to use the apparatus provided, and to require the inhabitants of said village to provide and keep fire buckets, to compel through the chief engineer and assistant engineers of the fire department, the inhabitants to aid in the extinguishment of fires, and to prescribe the mode of operations, and to protect property in case of fires.

§ 12. No inhabitant of said village shall be disqualified from being a justice, juror, constable or witness, on the trial for the recovery of any penalty or fine by reason of the membership in and of the organizations mentioned in the last preceding section.

§ 13. The treasurer shall execute and deliver to the clerk of the board of trustees within five days after his appointment a bond, with two or more sufficient sureties, to be approved by the board of trustees, in double the amount of tax to be raised during his term of office, conditioned upon the faithful performance of his duties as such treasurer, and when such bond is so approved, he shall receive the moneys belonging to the village and keep an account of the receipts

and expenditures in such manner as the trustees shall direct, and subject at all times to their inspection. All moneys shall be drawn from the treasury by orders under the corporate seal, signed by the president or president pro tem., and countersigned by the clerk, who shall keep a record thereof, which shall specify for what purpose the amount specified is to be paid. He shall exhibit at every annual meeting a full account of the expenditures of the previous year and the state of the treasury, which account shall be filed in the office of the clerk.

§ 14. The clerk shall keep the corporate seal and all papers belonging to the village and make a record of all proceedings of the inhabitants at their annual or special meetings and of all the proceedings of the trustees, whose meetings it shall be his duty to attend.

§ 15. If any person having been an officer in said village shall not within ten days after notification and request deliver to his successor in office all books, papers, property and effects of every description, in his possession or under his control belonging to said village, appertaining to the office he held; or if any officer of said village shall willfully neglect or refuse to discharge faithfully the duties and services required of him by virtue of this act, any such person shall forfeit or pay \$100 besides all damages caused by such neglect or refusal, to be recovered under the corporate name and for the use of said village in any court having cognizance of such sections.

§ 16. In addition to the powers and authority already conferred on the trustees of the said village of Mount Morris by virtue of this act, they shall have power and authority to buy or hire for a term of years or for such time as they shall deem expedient, some suitable building, room or rooms in the village of Mount Morris, for such rent as they in their judgment may deem just and reasonable, and cause the same to be fitted up in a proper and safe manner for the purpose of a lock-up and to keep the same so fitted up and in repair, and provided with necessary accommodations, with fuel and other necessities. It shall be the duty of the constables of the town of Mount Morris or the police constables of the village of Mount Morris to secure in such lock-up all persons lawfully arrested by them or either of them, until such person or persons can be brought before the proper officer for trial or examination; and if in the night time, until the following morning, when they shall be taken by the constable making the arrest before the police justice of said village, or in his absence or inability to act, before some justice of the peace of the town of Mount Morris, to be dealt with according to law. It shall be lawful for such constables to detain in such lock-up not exceeding twenty-four hours when necessary to secure their attendance on the trial or examination of persons charged with offenses, persons who may be necessary witnesses on such trial or examination and who can not otherwise safely be kept on the requirement of the police justice of said village or of any justice of the peace of said town, until such trial or examination can be had, and their testimony therein be taken, and for such services in detaining such persons and for necessary supplies furnished them during such detention, such constables shall receive such compensation as constables of towns are now entitled by law for

like services, and supplies, and such further compensation as the trustees of said village may direct.

§ 17. The necessary expenses of renting, fitting up, repairing, supplying and keeping in proper condition the said lock-up, and all other expenses connected therewith, shall be a corporate charge on the village of Mount Morris, and shall be estimated and reported by the trustees in their annual report, as they are now required to report corporation expenses, and the inhabitants of said village qualified to vote for the raising of money by taxation in said village at any annual meeting of said village or at any special meeting called for that purpose, may vote to raise such sum as will cover such expenses, by tax upon taxable property of said village and thereupon the same may be levied and collected in said village; and the said lock-up shall be under the control and charge of the said board of trustees.

§ 18. The police justice so elected shall, within five days after his election, file with the clerk of the said board of trustees his acceptance of said office, with the same oath and security as justices of the peace of towns are now required by law to file with the clerks of their respective counties, except that such bond shall be filed with the clerk of said board of trustees and approved by them, and shall enter upon the discharge of his duties as soon as such acceptance, oath and sureties are filed.

§ 19. The said police justice shall have criminal jurisdiction of all crimes, misdemeanors and offenses committed in the said village of Mount Morris, of which justices of the peace of towns have jurisdiction, and civil jurisdiction in all actions wherein the trustees of said village are parties in actions to recover penalties for the violations of any ordinance of said village, and in no other cases, and in reference to those matters of which he has jurisdiction he shall possess the like powers, rights and authority and be subject to the like obligations and duties as appertain and belong to justices of the peace of towns in reference to criminal matters in the several towns of this State, and to actions for the recovery of penalties of any of the ordinances of said village, and all criminal proceedings before the said police justice shall be conducted by him before trial, and if a trial is demanded by the accused, he shall be tried before him as a court of special sessions in the same manner as the same proceedings are now required to be conducted by justices of the peace on the trial before them as a court of special sessions, and the trial of all actions before him for the recovery of a penalty for the violation of village ordinances shall be conducted in a like manner as trials of the same actions before justices of the peace of towns.

§ 20. The said police justice shall receive for services rendered by him as such police justice in criminal matters the same fees as justices of the peace in towns are entitled to receive for like services; all fees and perquisites received by him with all fines and penalties for violations of village ordinances or any violation of law, collected and received by him, shall be paid into the village treasury quarterly at the end of each quarter, and each payment shall be accompanied by a statement in writing signed by the said police justice, containing a particular account of all fees and perquisites received and earned by him during the preceding quarter, and of all fines and penalties

received by him during the same time for violations of village ordinances or other violation of law, which said statement shall be attested as to its correctness by his affidavit attached thereto, and all money thus paid by said police justice shall form a separate fund in the hands of said village treasurer for the payment to said police justice of his compensation for services performed by him as such police justice in criminal cases as herein provided, and in case the same is more than sufficient to pay said justice, the balance shall be applied by the trustees of said village to other incidental expense of the same as they may desire.

§ 21. The said police justice shall, at the end of each quarter, make out and deliver to the trustees of said village a statement in items, as justices of the peace are now required to state their accounts, of his fees for services as such police justice during the preceding quarter, verified as to its correctness by his oath, which the said trustees shall audit, if correct, and the amount so audited shall, on the draft of the president of the board of trustees, countersigned by the clerk, under the seal of said village, be paid by the treasurer to the said police justice out of the funds herein provided for that purpose; if not then sufficient, the amount on hand applicable thereto shall be paid and indorsed on said draft.

§ 22. In case the fund herein provided for the payment of the fees of said police justice in criminal proceedings shall prove insufficient for that purpose, then and in that case the deficiency shall be levied, assessed and collected by the board of supervisors of the county of Livingston, in the same manner as other fees for criminal proceedings in the different towns in said county are levied and collected, and for that purpose the said police justice shall make out and deliver, at the proper time and to the proper auditing bodies, a statement of his account, for such deficiency for services rendered, in items, showing the proceeding in which such services were rendered, which statement shall be verified in the same manner as justices of the peace are now required to make statements for similar services.

§ 23. The said police justice shall not be required to perform any services in civil proceedings until his legal fees therefor are paid, and in civil actions he may charge for services rendered the same fees as justices of towns may charge for like services, and issue executions on judgments for penalties in the same manner as justices of the peace in actions of penalties. An appeal may be taken from any judgment rendered by the said police justice to the county court of Livingston county in the same manner as from judgments rendered by justices of the peace of towns.

§ 24. The police constables herein provided shall have power and authority to serve all processes, whether civil or criminal, issued by the said police justice and all civil processes where the trustees of said village are parties, and all criminal processes in the county of Livingston. They shall respectively take the same oath of office, give the same security and receive the same compensation and be paid in in the same manner as constables of towns.

§ 25. Whenever the electors of the village of Mount Morris entitled to vote to raise taxes in said village shall decide at any annual or special meeting to purchase or construct a water-works system to

supply water for the said village, and the inhabitants thereof, or to purchase or construct a public building for the use of said village, it shall be lawful for the trustees of said village, and they are hereby authorized, to borrow on the faith and credit of said village such a sum of money as shall be necessary for that purpose, not exceeding the sum stated in the resolution adopted at such annual or special meeting authorizing the same, and for that purpose the said trustees are hereby empowered to issue the bonds of said village to be made and executed by the president and clerk of said village under the corporate seal thereof, for the amount appropriated for that purpose, said bonds to become due and payable at such times as the board of trustees may determine, bearing interest at or below the legal rate, payable annually or semi-annually, with or without coupons attached, for the payment of such interest as said trustees may determine, and in case the said trustees can not agree with the owner or owners of such water-works system or the realty required for the purposes in the section set forth as to the purchase-price and value thereof, the same proceedings shall be had for acquiring the title thereof as directed in section twenty-nine of this act. No bonds issued under this section shall be sold at less than their par value.

§ 26. Said trustees, for the purpose of paying any indebtedness in and by this act authorized, and for the purpose of redeeming and paying any bonds issued by them in pursuance hereof, or the interest thereon, may and shall from time to time raise by tax upon the taxable property of said village and levy and collect the amount necessary therefor in the manner in this act provided for the levy and collection of taxes in said village, and the money when collected shall be paid into the treasury of said village and may be drawn therefrom in the manner in this act provided for drawing money from said treasury, and appropriated to the payment of said bonds and the interest thereon.

§ 27. The board of trustees shall also have power and are hereby authorized to contract with any water-works company for supplying said village with water for the purpose of extinguishing fires, and to assess and collect the amount agreed to be paid in such contract as other village taxes are assessed and collected, and any such contract entered into by the trustees of said village shall be binding and valid upon said village; provided, however, that no such contract, entered into by the trustees of said village, shall be for a longer period than five years, nor for a sum exceeding, in the aggregate, fifty per cent per capita per annum of the population of the village, unless the proposition for the same be submitted to a vote of the citizens in the manner hereinbefore provided and approved by a majority of the voters entitled to vote on such questions and voting at the annual meeting or a special meeting duly called.

§ 28. The trustees, when directed by any annual or special meeting of the inhabitants of said village, shall open, lay out and make streets, roads, lanes, alleys and highways, and widen or change the location, direction or grade of the streets, roads, lanes, alleys or highways now open in said village.

§ 29. Whenever the trustees shall be so directed to lay out, open

and make any street, road, lane, alley or highway in said village, or to widen or change the location, grade or direction of the present streets, roads, lanes, alleys or highways therein, or whenever said trustees shall be duly directed to do any of the acts specified in section twenty-five of this act, in case they cannot agree with the owner or owners of property to be affected thereby, the said, the village of Mount Morris, by its board of trustees, shall have the right to acquire the title to the same in the manner and by the special proceedings prescribed for the acquiring of title to real estate by railroad corporations in chapter 140 of the Laws of New York, passed in the year 1850, and the provisions of said chapter 140 of the Laws of New York, passed in the year 1850, touching the acquiring of title to real estate by railroad corporation, are hereby made applicable to the said the village of Mount Morris for the purposes aforesaid.

§ 30. The said village of Mount Morris is hereby declared a separate road district and the trustees are vested with all the powers and are charged with all the duties and liabilities conferred or imposed by law on commissioners of highways of towns so far as such provisions are not inconsistent with the provisions of this act, and are applicable to said village; provided however, that in making the assessment for highway labor, they may take the last assessment in said village as a basis instead of the town assessment-roll; provided further, that said board shall have no control or supervision of highway bridges, abutments or approaches to highway bridges therein, or to raise money to build, rebuild or repair the same, but such bridges, abutments and approaches shall be subject to the control of the commissioners of highways of the town of Mount Morris in the same manner and with the same power and duties as if this act had not been passed, and the jurisdiction of the commissioners and overseers of highways in the town of Mount Morris within the limits of said village shall cease except over the bridges, abutments and approaches aforesaid.

§ 31. The street commissioner shall under the direction of the trustees superintend the making and repairing of sidewalks and crosswalks, and the expenditures upon the streets, lanes, alleys, roads and highways of said village of the money raised for highway purposes; he shall within said village perform the duties of overseer of highways so far as such duties are required to be performed by them and are not inconsistent with the provisions of this act, and he shall receive such compensation for his services as shall be fixed by the trustees of such village by by-laws to be by them made for that purpose.

§ 32. The trustees of said village may by resolution direct sidewalks to be made or repaired on any public road, highway or street therein and in every such resolution such road, highway or street or part of the same, and the material with which such sidewalks shall be made or repaired, shall be specified.

§ 33. The expenses of making and repairing such sidewalks opposite to and on the same side of the road with any lot shall be a lien thereon; and if the owner thereof be a resident of said village the trustees shall give him ten days written notice of the manner in which such sidewalks is required by them to be made or repaired, and of the time within which it may be so made or repaired by him

at his own expense, under the superintendence of the street commissioner.

§ 34. If such owner shall not make or repair such sidewalk within such time and in such manner, or if he be not a resident of such village and has no known resident agent, the trustees shall cause the same to be made or repaired. If a non-resident has a known resident agent, said agent shall be notified as though he were the owner. They shall keep an account of the expenses thereof which shall be a tax against said owner and a lien upon such lot and they shall issue their warrant for the collection thereof and the same shall be collected in the same manner as other taxes in such village; every such warrant shall be returnable and may be renewed like other warrants for the collection of taxes in such village, and it shall set forth plainly by some brief description the lot charged with the lien, as it is required to be set forth in warrants for the collection of taxes by town collectors; the name of the owner, the time of the adoption of the resolution directing the sidewalk to be made or repaired under which the expenses charged on such lot were incurred, the amount of the lien and the street and side thereof on which such sidewalk was so required to be made or repaired.

§ 35. Whenever the collector of such village shall return under oath that, within the time specified for the return thereof in any warrant for the collection of taxes or the expenses of making or repairing sidewalks in said village, he was unable to find within such village any property out of which he could collect such taxes or expenses specified in such warrant, the trustees shall proceed forthwith to collect such taxes or expenses in the same manner as return taxes are directed by this act to be collected.

§ 36. All taxes levied by virtue of this act shall be a lien on the real estate upon which they shall be assessed, and the personal property of the person or corporation against whom they were assessed, and whenever upon any warrant issued to collect the expenses of making or repairing any sidewalk, he shall make a similar return to the trustees; the said trustees shall forthwith proceed to collect such taxes by the sale of the property upon which such taxes are returned in the same manner as the treasurer of Livingston county is by law directed to collect returned town taxes, and such sale shall have the same force and effect as though made by said county treasurer.

§ 37. At any meeting of the electors of said village to elect village officers, or at any other meeting of such electors, duly called by the trustees in the manner prescribed by this act, the persons entitled to vote to raise taxes in said village may by resolution direct the trustees to cause to be raised by a general tax upon the property liable to be assessed for taxes in such village a sum or sums of money not to exceed \$3,500 in any one year in addition to any sum necessary to pay the bonds of said village with the interest thereon, except that in case of unforeseen emergency a larger sum than \$3,500 may be raised in any one year for the following purposes and for no others unless authorized by resolution adopted by ballot or otherwise authorized herein:

1. For paying necessary and proper expenses of procuring such village to be incorporated.

2. For prosecuting and defending suits in which such village shall be a party.

3. For procuring the necessary blank books for records and accounts of such village, and for procuring such blanks as may be wanted for village purposes.

4. For publishing the by-laws of such village, notices of the meetings of the electors and statements of accounts and claims allowed by the trustees.

5. For paying as compensation for their services to the officers of such village such compensation as shall be expressly allowed and made payable by said village.

6. For highway purposes when such village shall be a separate road district, and no other mode shall be prescribed by law for raising money therein for highway purposes.

7. For the necessary expenses of doing any specific act for such village when it or any of its officers shall be by law expressly required or authorized so to do.

8. For any other specific purpose for which such village shall be expressly authorized by law to raise a tax in such manner.

9. For publishing the village charter and the proceedings of the board of trustees.

§ 38. The taxable inhabitants of the said village are hereby authorized to divide any sum voted and appropriated by them for any extraordinary purpose into such installments as they shall elect; said installments may be made payable annually or semi-annually with interest, payable in the same way at any rate not above the legal one in New York State, and said inhabitants are hereby authorized to issue bonds or other evidences of debt through their representatives, the trustees, in the name of said village to secure the payment of any sum raised pursuant to the provisions of this act, and to pledge in such evidences of debt the faith and credit of said village.

§ 39. No tax shall be voted to be raised at any meeting in said village unless the notice of holding such meeting, required by this act to be given, shall specify the amount and object of such tax, and the specific sum required or proposed to be raised for each object and shall state that such meeting shall be called upon to vote in respect to raising the sum or sums so specified.

§ 40. Every resolution adopted at any such meeting directing any tax to be raised shall distinctly specify the object for which such tax shall be directed to be raised and the sum to be applied to each of such objects except a sum to constitute a contingent fund, which the taxable inhabitants are hereby authorized to create may be recommended by the board and appropriated by the taxpayers in gross without items.

§ 41. Any sum specified in any such notice and proposed to be raised by tax for any specific object may be reduced or increased before the vote in respect to directing the same to be raised. The vote in respect to raising every specific sum may be taken separately. Every proposition to raise any such specific sum shall be deemed a separate and distinct resolution in the proceedings thereon at such

meeting and it shall be in form a separate and distinct resolution and shall be so entered in the record of the proceedings of such meeting, if any person entitled to vote thereon shall so require. Every vote to raise a sum of money in such village which shall not be taken as herein provided shall be absolutely null and void.

§ 42. No person shall vote at any such meeting in respect to raising any such tax unless he shall be qualified to vote for officers in such village, and shall own property liable to be assessed for taxes therein.

§ 43. All taxes voted to be raised in such village shall be assessed and collected in conformity, as far as practicable, with the provisions of law in respect to the assessment and collection of taxes by town assessors and collectors.

§ 44. When any money shall be voted and raised by taxation in such village for any specific purpose it shall not be applied to any other purpose without such a vote directing such application as was required to authorize the raising thereof, nor shall any money belonging to such village derived from other sources than taxation be applied to any purpose whatever without a vote directing its specific application except as otherwise provided herein.

§ 45. Whenever the taxable inhabitants or trustees of said village shall have directed the raising of any sum or sums of money by tax upon the taxable property of said village according to the provisions herein contained, the same shall be assessed and apportioned upon the owners or occupants of all real and personal property in said village liable to be taxed, whether owned by residents or non-residents, individuals or corporations or companies, by the assessors and collected by the collector in conformity, as far as practicable, with the provisions of law with respect to the assessment and collection of taxes by town assessors and collectors.

§ 46. It shall be the duty of the assessors of said village to make an annual assessment of the taxable property of the said village, both real and personal, within thirty days after the annual election of officers in each year, and it shall also be the duty of the assessors whenever they have completed the assessment of any tax according to the provisions of this act to make out an assessment-roll thereof, in which they shall set down the names of all the taxable inhabitants of said village subject to taxation, the quantity of real estate and the value of the taxable real and personal property of the inhabitants and the description, quantity any value of the taxable real estate situate therein belonging to non-residents.

§ 47. Whenever the said assessors shall have completed an assessment-roll for any purpose whatever they shall thereupon forthwith give public notice by written or printed notices to be put up at four or more public places in said village, and published in at least one newspaper published in said village of the completion of such assessment-roll by them, and shall specify in such notice the time and place at which they will meet to hear appeals from their doings as such assessors. The time of such meeting shall not be less than ten days after the time of putting up and publishing such notice. All persons to be affected by such assessment shall have the privilege at all seasonable times after the giving of such notice at or previous to to such meeting of the assessors, to examine such assessment-roll,

and to appeal therefrom to the said assessors at the time and place mentioned in such notice and at such other times and places as the said assessors shall appoint therefor. The said assessors shall meet at the time and place named in said notice, and on receiving any such appeal shall have power to so alter and correct such assessment-roll as they shall deem just and equitable, if they adjudge any alteration or correction just and equitable to all concerned.

§ 48. Whenever such assessment-roll shall be finally completed it shall be delivered to the said trustees, and they shall forthwith cause the necessary tax to be spread thereon and deliver a copy of the tax-roll after the tax is duly spread with their warrant thereto annexed, for the collection of the taxes therein mentioned, to the collector of said village:

§ 49. It shall be the duty of the collector to give such security for the faithful performance of the duties of his office as shall be required of him by the trustees. Upon receiving any tax-roll and warrant, said collector shall give the same notice as town collectors are required to give, and be governed by the same law as they are as to his compensation. He shall collect and pay over to the treasurer of said village all taxes mentioned in such roll, retaining his fees for collection, within the time specified in such warrant therefor, or within such further time as shall be allowed therefor by the board of trustees. In the collection of taxes the collector shall have the like authority and proceed in the same manner as collectors of taxes in towns.

§ 50. The said village of Mount Morris shall have and exercise in respect to a board of health the same powers and authority as are conferred upon villages by chapter 270 of the Laws of the State of New York, passed May 12, 1885, and the several acts amendatory thereof entitled, "An act for the preservation of the public health and the registration of vital statistics," and the provisions of said act so far as they are consistent herewith are hereby made applicable to said village.

§ 51. All the officers heretofore duly elected in said village, whose terms of office have not expired, are hereby declared to be the officers of said village for the terms for which they were severally elected. And the resolutions adopted at the annual meetings of said village in the years 1884, 1885, 1886, 1887, 1888 and 1889, directing the raising of money by tax in said years, and the acts of the board of trustees of said village in raising by tax in said years, such sums so directed by such resolutions and the expenditure of such moneys so raised as duly reported by the said board of trustees at the regular annual meetings of said corporation in the years 1885, 1886, 1887, 1888 and 1889 are hereby legalized, ratified and confirmed so that the said resolutions and the said acts of said board of trustees shall have the same force and effect as though the charter of said village had at the time of their adoption and performance expressly authorized the raising and expenditure of such amounts.

§ 52. Chapter 540 of the Laws of 1884 is hereby repealed.

§ 53. This act shall take effect immediately.

Amend the title so as to read "An act to revise the charter of the village of Mount Morris."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Hagan	McKenzie	Savery
Ainsworth	Curtis	Haggerty	McMaster	Saxton
Baker, A. B.	Demarest	Hamilton	Mead	Schaaff
Baker, A. H.	Dinehart	Harwood	Miller	Sheehan
Bauer	Dinkelspiel	Hayes	Moffitt	Sheldon
Blake	Duffy	Hitt	Moody	Smith, T.
Blanchfield	Dunham	Hornidge	Murray	Stevens
Blumenthal	Dunlap	Hughes	Nixon	Sullivan
Brown	Edwards	Kelly	O'Neil	Towne
Carson	Fish	Kent	Pearsall	Treadway
Cheney	Fitts	Lane	Peck	Van Gorder
Clark, J.	Flaherty	Larmon	Rhodes	Walters
Clarke, C. C.	Graham	Little	Rice	West
Comstock	Greene	Loder	Roesch	Yates
Connelly	Groat	Martin	Ryan	Yetman
Coon	Guenther	McCann	Saunders	Young
Cottrell	Haffner	McCarren		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

Mr. Crosby moved to take from the table the following resolution:

Resolved, That the amendments of the Senate to Assembly bill No. 886, entitled "An act to revise and consolidate the laws for suppressing intemperance and for regulating the sale of intoxicating liquors," be concurred in.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

The question recurring upon concurring in the following amendments,

Section 1, line 21, after the words "license" insert the words "other than a license to sell on a physician's prescription."

At the end of section 1 add the words "but this condition shall not be construed to prohibit selling or disposing of strong or spirituous liquors, wines, ale or beer in quantities of five gallons or more, by the manufacturer thereof, in the city or town where the same is manufactured, to others than residents thereof."

At the end of section 2 strike out the words "of his predecessor."

Section 10, line 13, strike out "a" and insert the words "an annual."

Same section, line 6, before the word "salary" insert the word "annual."

Section 13, line 15, after the word "city" insert the words "which now has a special attorney whose duty it is to attend to excise matters."

Same section, line 22, after the word "board" insert the words "whenever authorized to do so by the supervisor of such town."

Section 49, line 41, after the word "eighty-eight" insert the words "provided that this act shall not, in any way, affect or repeal any of the provisions of chapters 221 and 255 of the Laws of 1875, or of the acts amendatory thereof."

Mr. Crosby moved a call of the House, excepting the persons to whom the privileges of the floor had been granted.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Acker	Curtis	Hamilton	McCarren	Schaaff
Ainsworth	Dante	Harwood	McKenzie	Sheehan
Aspinall	Decker	Hayes	McLaughlin	Sheldon
Baker, A. B.	Demarest	Hitt	McMaster	Smith, M. A.
Baker, A. H.	Dinehart	Hornidge	Mead	Smith, T.
Barton	Dinkelspiel	Hughes	Mesick	Sperry
Bauer	Duffy	Husted	Miley	Stevens
Blake	Dunham	Kelly	Miller	Strassburg
Blanchfield	Dunlap	Kent	Moffit	Sullivan
Blumenthal	Edwards	Kerrigan	Moody	Tefft
Brown	Endres	Kimball	Mullaney	Towne
Brownell	Enz	King	Murray	Townsend
Bush, G. H.	Fish	Lane	Newschafer	Treadway
Carson	Fitts	Larmon	Nixon	Van Gorder
Cheney	Flaherty	Lewis	O'Neil	Walters
Clark, J.	Gallup	Little	Pearsall	West
Clarke, C. C.	Gibbs	Loder	Peck	Whipple
Comstock	Greene	Longley	Rice	Yates
Connelly	Groat	Martin	Roesch	Yetman
Coon	Guenther	Mase	Ryan	Young
Cottrell	Haffner	Maynard	Saunders	Youngman
Cronin	Hagan	McAdam	Savery	Speaker
Crosby	Haggerty	McCann	Saxton	114

The Clerk furnished a list of absentees to the Sergeant-at-Arms who appeared before the bar of the House with Messrs. C. Smith, Davidson, Graham, Rhodes and Le Roy.

Mr. Crosby moved that the gentlemen be excused.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Crosby moved to suspend further proceedings under the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Sheehan moved to non-concur in the amendments of the Senate, that a committee of conference be appointed on the part of the House, and request the appointment of a like committee on the part of the Senate.

Mr. Saxton moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Sheehan, to nonconcur, and it was determined in the negative.

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 67 }
{ NOES 49 }

Those who voted in the affirmative, were

Acker	Crosby	Hamilton	McMaster	Smith, M. A.
Ainsworth	Curtis	Hughes	Mead	Sperry
Aspinall	Dante	Husted	Mesick	Stevens
Baker, A. B.	Davidson	Kimball	Moffitt	Tefft
Barton	Decker	King	Moody	Towne
Bauer	Dinehart	Lane	Nixon	Treadway
Brown	Dunlap	Larmon	Pearsall	Van Gorder
Brownell	Edwards	Lewis	Peck	Walters
Carson	Enz	Loder	Rhodes	West
Cheney	Fish	Mase	Saunders	Whipple
Clark, J.	Fitts	Maynard	Savery	Yates
Comstock	Flaherty	McAdam	Saxton	Youngman
Coon	Gallup	McKenzie	Sheldon	Speaker
Cottrell	Groat			

Those who voted in the negative, were

Blake	Dunham	Hayes	McLaughlin	Schaaff
Blanchfield	Endres	Hitt	Miley	Sheehan
Blumenthal	Gibbs	Hornidge	Miller	Smith, C.
Bush, G. H.	Graham	Kelly	Mullaney	Smith, T.
Clarke, C. C.	Greene	Kent	Murray	Strassburg
Connelly	Guenther	Kerrigan	Newschafer	Sullivan
Cronin	Haffner	Longley	O'Neil	Townsend
Demarest	Hagan	Martin	Rice	Yetman
Dinkelspiel	Haggerty	McCann	Roesch	Young
Duffy	Harwood	McCarren	Ryan	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, May 7, 1889. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 728, entitled "An act to secure more fully the independence of electors at public elections, to enforce the secrecy of the ballot and to provide for the printing and distribution of ballots at public expense."

DAVID B. HILL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Haffner	Longley	Saxton
Ainsworth	Cottrell	Hagan	Maynard	Sheehan
Aspinall	Cronin	Haggerty	McAdam	Sheldon
Baker, A. B.	Crosby	Hamilton	McCann	Smith, C.
Baker, A. H.	Curtis	Harwood	McKenzie	Sperry
Barton	Dante	Hayes	McMaster	Stevens
Bauer	Davidson	Hitt	Moffitt	Strassburg
Blanchfield	Decker	Hughes	Moody	Tefft
Blumenthal	Dunlap	Husted	Nixon	Towne
Bush, G. H.	Edwards	Kelly	O'Neil	Van Gorder
Carson	Enz	Kimball	Pearsall	Walters
Cheney	Fitts	King	Peck	West
Clark, J.	Flaherty	Lane	Rhodes	Whipple
Clarke, C. C.	Gallup	Larmon	Rice	Yates
Comstock	Gibbs	Lewis	Saunders	Young
Connelly	Groat	Loder	Savery	Speaker

The vote upon the final passage of said bill having been reconsidered, Mr. Saxton moved to amend as follows:

Section 28, line 1, after the word "upon" and before the word "which" insert the words "the stub of."

Strike out section 30, and substitute the following:

"§ 30. In the canvass of the votes any ballot from which it is impossible to determine the elector's choice as to any particular candidate or candidates shall be, to that extent void, and shall not be counted as to such candidate or candidates. Such ballots shall be treated and preserved as defective ballots."

Section 34, line 15, strike out the words "inspectors of election" and substitute the words "ballot clerks."

Mr. Husted moved the previous question.

Mr. Speaker put the question "Shall the main question be now put," and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Saxton, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 69 }
{ NOES 43 }

Those who voted in the affirmative, were

Acker	Crosby	Groat	McAdam	Sheldon
Ainsworth	Curtis	Hamilton	McKenzie	Smith, C.
Andrus	Dante	Hughes	McMaster	Smith, M. A.

Aspinall	Davidson	Husted	Mead	Sperry
Baker, A. B.	Decker	Kimball	Mesick	Stevens
Baker A. H.	Dinehart	King	Moffitt	Tefft
Barton	Dunlap	Lane	Moody	Towne
Bauer	Edwards	Larmon	Nixon	Van Gorder
Carson	Enz	Le Roy	Pearsall	West
Cheney	Fish	Lewis	Peck	Whipple
Clark, J.	Fitts	Little	Rhodes	Yates
Comstock	Flaherty	Loder	Saunders	Youngman
Coon	Gallup	Mase	Savery	Speaker
Cottrell	Gibbs	Maynard	Saxton	

Those who voted in the negative, were

Blake	Endres	Hornidge	Miley	Ryan
Blanchfield	Greene	Kelly	Miller	Schaaff
Blumenthal	Guenther	Kent	Mullaney	Sheehan
Clarke, C. C.	Haffner	Kerrigan	Murray	Smith, T.
Connolly	Hagan	Longley	Newschafer	Strassburg
Cronin	Haggerty	Martin	O'Neil	Sullivan
Demarest	Harwood	McCann	Rice	Townsend
Dinkelspiel	Hayes	McCarren	Roesch	Young
Duffy	Hitt	McLaughlin		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

Mr. McKenzie, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act relating to the expenditures of the department of docks in the city of New York." (No. 1005.)

"An act to authorize towns to raise money to defray the expense of the proper observance of Memorial or Decoration day." (No. 742.)

"An act to amend chapter 679 of the Laws of 1887, entitled 'An act to regulate the sale of strong and spirituous liquors, wines, ale or beer in quantities of five gallons or upward.'" (No. 1124.)

"An act to amend section 2 of chapter 283 of the Laws of 1850, entitled 'An act to amend the Revised Statutes, relating to grants of land under water.'" (No. 1122.)

"An act to provide for the appointment of a police marshal in and for the first collection district of the town of Watervliet, county of Albany." (No. 1118.)

"An act authorizing the construction and erection of a bridge over the Champlain canal at the farm-crossing on the farm of Amanda M. Johnson in the town of Whitehall, and making an appropriation therefor." (No. 1116.)

"An act to regulate the charges of telephone companies." (No. 987.)

"An act to enable the mayor and common council of Long Island City to borrow money for the purpose of increasing the water supply and laying additional water pipes in said city." (No. 1105.)

"An act to repeal section 2134 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the compensation of Hell-Gate pilots." (No. 954.)

"An act to fix the duration of the term of office of the surrogate in the city and county of New York." (No. 1174.)

"An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' so as to create the Twenty-seventh ward." (No. 944.)

"An act to provide for the construction of fish-ways in the dam across the Chenango river, in the village of Chenango Forks, Broome county, and making an appropriation therefor." (No. 1161.)

"An act regulating vaccination in the State of New York." (No. 900.)

"An act to provide for labeling bottles, boxes or other receptacles containing oil or lard, of which cottonseed oil is a component part." (No. 1088.)

"An act to repeal chapter 602 of the Laws of 1871, entitled 'An act to authorize the construction of a bridge for railroad purposes over the Erie canal, in the city of Utica,' and to empower and direct the Superintendent of Public Works to remove the same." (No. 1117.)

"An act to provide for the rehearing of the claim of John Fitzpatrick for extra work done and materials furnished for the State, under the direction of State officials, in the improvement of Fall creek, in Havana, Schuyler county." (No. 899.)

"An act to regulate the charges of auctioneers for the sale of personal property." (No. 1015.)

"An act to provide for the application and distribution of receipts from premiums collected and to be collected from foreign fire insurance companies doing business in New York State under and pursuant to chapter 604 of the Laws of 1886." (No. 1185.)

"An act to amend section 390 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act, and to declare the special and local laws affecting public interests in the city of New York, as the same is amended by chapter 149 of the Laws of 1888.'" (No. 338.)

"An act to amend sections 916 and 997 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, relative to serving notice when property is assessed.'" (No. 1178.)

"An act to amend chapter 572 of the Laws of 1886, entitled 'An act in relation to certain actions against municipal corporations.'" (No. 729.)

"An act to repeal chapter 186 of the Laws of 1874, entitled 'An act for the relief of the president, directors and company of the Schoharie Kill Bridge Company.'" (No. 654.)

"An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws, affecting public interests in the city of Brooklyn,' touching local improvements and the department of fire, and repealing certain sections of said act." (No. 646.)

"An act to amend chapter 576 of the Laws of 1888, entitled 'An act establishing a board of improvement and defining its powers and duties, and to provide for lighting the streets and other places in the town of New Utrecht, in the county of Kings.'" (No. 1168.)

"An act to create a board of park commissioners in and for the city of Utica." (No. 519.)

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend sections 263, 500, 649, 784, 1358, 1359 and 3343 of the Code of Civil Procedure" (No. 993), reported the same with the recommendation that it be amended as follows:

Section 2, line 1, after the word "hundred" insert the words "of said code."

Same section, line 5, substitute the word "form" for the word "found."

Section 3, line 1, in place of the word "the" insert the word "said."

Same section, line 2, strike out the words "of Civil Procedure."

Section 4, line 1, insert the word "said" in place of the word "the," and strike out the words "Civil Procedure."

Section 6, line 1, strike out the word "the" and insert the word "said" in lieu thereof, and strike out the word "of," second occurring.

Same section, line 2, strike out the words "Civil Procedure."

Section 7, line 1, insert the word "said" in place of the word "the," and strike out the word "of" at end of line.

Same section, line 2, strike out the words "Civil Procedure."

Section 8, line 2, after the word "forty-three" insert the words "of said code."

Same section, line 3, put the words "judgment creditors" in possessive case, singular.

Amend the title so as to read as follows:

"An act to amend the Code of Civil Procedure — of the general jurisdiction of superior city courts; what answers must contain; how property to be attached; discharge of attachment; return of property; when time cannot be extended; preceding order may be reviewed; limitation of time of appeal; rules of construction."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill, entitled "An act to amend section 69, article 7, title 7 of the consolidated school act of 1864, as amended" (No. 1147), reported the same with the recommendation that it be amended as follows:

Section 1, line 1, strike out the words "article seven."

Same section, lines 1 and 2, strike out the words "the consolidated school act," and after the words "title seven of" insert the words "chapter 455 of the Laws of 1884."

Same section, line 2, strike out the words "section twenty-one."

Amend title by striking out all after the word "amend" and inserting in place thereof the words "chapter 555 of the Laws of 1855, entitled 'An act to revise and consolidate the general acts relating to public instruction,' as amended by chapter 567 of the Laws of 1875."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 526 of the Laws of 1887, entitled 'An act to relieve the towns of this State from damages sustained by persons while engaged in transporting traction engines

along the highways of this State" (No. 744) reported the same with the recommendation that it be amended as follows:

Section 1, line 1, strike out the words "said act" and insert in place thereof the words "chapter 526 of the Laws of 1887, entitled 'An act to relieve the towns of this State from damages sustained by persons while engaged in transporting traction engines along the highways of this State.'"

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 71 of the Laws of 1884, entitled 'An act to authorize the use of State armories by associations of discharged soldiers,' and the acts amendatory thereof" (No. 889), reported the same with the recommendation that it be amended as follows:

Section 1, line 1, after section number insert the words "section one of."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 458 of the Laws of 1887, entitled 'An act to prevent deception and fraud by owner or owners or agent who may have control of any stallion kept for service, by proclaiming or publishing fraudulent or false pedigrees, and to protect such owner or owners or agents in the collection of fees for the services of such stallion'" (No. 1186), reported the same with the recommendation that it be amended as follows:

Amend the title by adding at the end thereof the words "extending the provisions of said act so as to include bulls."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend subdivision 4 of section 640 of the Penal Code" (No. 1169), reported the same with the recommendation that it be amended as follows:

Amend the title by adding at the end thereof the words "of malicious injury and destruction of property."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

The Speaker and Clerk referred the following entitled bills to the subcommittee of the whole:

Int. 993, No. 1232, "An act to amend chapter 623, Laws of 1887, entitled 'An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game.'"

Int. 1085, No. 1134, "An act to incorporate the River Bridge Company."

The privileges of the floor were extended to Hons. James Oliver,

Charles C. Lodewick, James Martin and Daniel M. Westfall; Julius O'Brien, Thomas O'Neil, J. W. Felter and Mr. Gorman.

On motion of Mr. Acker, the privileges of the floor were extended to Messrs. R. K. Faulkner, D. K. Belknap, S. Osraski, George Dore, W. C. Newman, Dr. Rishell, Dr. Baker, Ed. Willets, William Prungen, Charles Burd, J. S. McMaster, Newman Jamison and George L. Tubbs.

Indefinite leave of absence was granted to Messrs. Hunting, Adams and Donaldson.

Messrs. R. P. Bush and Creamer were excused for the day.

Messrs. Tefft and Lane presented petitions relative to the misappropriation of the common school money; which were referred to the committee on public education.

Mr. Cottrell presented a petition relative to prohibition of the sale and manufacture of intoxicating liquors; which was referred to the committee of the whole.

The Senate returned the following entitled bills:

"An act to amend chapter 256 of the Laws of 1874, entitled 'An act to amend an act entitled An act to provide for laying out and improving roads and avenues in the village and town of Saratoga Springs.'" (No. 523.)

"An act to authorize the purchase and distribution of the statistical publication showing the mortuary losses of each New York regiment during the war of the rebellion, and making an appropriation therefor." (No. 815.)

"An act to provide for the erection of a hoist-bridge over the Erie canal in the city of Syracuse, and making an appropriation therefor." (No. 725.)

"An act to reappropriate certain unexpended balances of former appropriations." (No. 294.)

"An act making appropriations for the support of government." (No. 609.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill entitled "An act to amend chapter 912 of the Laws of 1869, entitled 'An act to incorporate the city of Cohoes,' and the acts amendatory thereof" (No. 244), with a message that they have concurred in the passage of the same, as amended.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

"An act to enable tribes of the Improved Order of Red Men to take, hold, mortgage and convey real and personal property." (No. 720.)

"An act to confirm and legalize the proceedings of the town of Oswegatchie, in the county of St. Lawrence, held in February, 1889." (No. 813.)

"An act to amend chapter 436 of the Laws of 1880, entitled 'An act to establish a police department in the city of Buffalo and to provide for the government thereof, relating to the police force.'" (No. 952.)

"An act to amend section 773 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York.'" (No. 1197.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate sent for concurrence the following entitled bills:

"An act to amend chapter 598 of the Laws of 1881, entitled 'An act to incorporate the New York Building and Improvement Company'" (Rec. No. 322), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Sperry, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and to be read the third time on Thursday, May ninth.

"An act to provide for the construction of sewers in any incorporated village of this State" (Rec. No. 323), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Saxton, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and to be read the third time Wednesday, May eighth.

"An act to amend chapter 495 of the Laws of 1885, entitled 'An act providing for placing electrical conductors under ground in cities of this State, and for commissioners of electrical subways'" (Rec. No. 324), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Speaker, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and committed to the committee on affairs of cities, retaining its place on the order of third reading.

"An act to provide for the completion of the north extension of the building in the Central Park in the city of New York occupied by the Metropolitan Museum of Art" (Rec. No. 325), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, said bill was substituted for Assembly bill No. 877, now on the order of third reading.

"An act for the appointment of an inspector of boilers for the towns Flatbush, Flatlands, New Utrecht and Gravesend, in Kings county" (Rec. No. 326), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Graham, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, May 7, 1889. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly herewith is returned for amendment Assembly bill No. 446, entitled "An act to provide for the care and custody of the estates of persons sentenced to State prison for life."

DAVID B. HILL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Haggerty	Longley	Savery
Ainsworth	Cronin	Harwood	Martin	Saxton
Andrus	Crosby	Hayes	McAdam	Schaaft
Aspinall	Curtis	Hitt	McCann	Sheehan
Baker, A. B.	Dante	Hornidge	McCarren	Sheldon
Bauer	Demarest	Hughes	McKenzie	Smith, M. A.
Blake	Dinehart	Husted	McMaster	Sperry
Blanchfield	Duffy	Kelly	Miley	Stevens
Blumenthal	Edwards	Kent	Mullaney	Van Gorder
Brown	Endres	Kimball	Murray	Walters
Bush, G. H.	Enz	King	Nixon	West
Carson	Fish	Lane	O'Neil	Whipple
Cheney	Fitts	Larmon	Pearsall	Yates
Clarke, C. C.	Gibbs	Lewis	Peck	Young
Comstock	Guenther	Little	Rhodes	Youngman
Connelly	Haffner	Loder	Saunders	

The vote upon the final passage of the said bill having been reconsidered,

On motion of Mr. Hitt, and by unanimous consent, the same was amended as follows (reference to engrossed bill):

Section 1, line 2, after the word "imprisonment" strike out the words "in State prisons."

Section 2, strike out all of lines 1, 2, 3, 4, and line 5, to and including the word "State," and insert in place thereof the words "such application shall be made upon personal notice of not less than twenty days to such convicted person, and to the district attorney of the county where the conviction was had, and upon notice to such other persons as would be entitled to notice of application for the probate of the will of such convicted person if he were then dead, leaving a will of real and personal property to be given in like manner as notice of application for such probate."

Same section, line 14, strike out the word "surrogate's" and insert in place thereof the words "county clerk's."

Same section, insert at the end thereof the words "a copy of the order appointing such committee certified by the clerk of the county in which the order is filed, shall be filed in every county in which any real estate of such convicted person is situated."

Section 3, line 6, strike out the word "person" first occurring, and insert in place thereof the word "persons."

Section 4, line 1, after the word "time" last occurring, insert the words "in the manner prescribed by the Code of Civil Procedure upon the sale of the property of an infant."

Section 5, line 7, after the word "to" strike out the words "receivers under the laws of this State," and insert in place thereof the words "an administrator."

Section 6, line 1, after the word "pardoned," insert the words "or his sentence be commuted."

Section 6, line 3, after the word "him" insert the words "after his discharge from imprisonment."

Section 6, line 5, after the word "pardoned" insert the words "or commuted as aforesaid."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Hornidge	McAdam	Sheehan
Ainsworth	Decker	Hughes	McCann	Sheldon
Andrus	Demarest	Husted	McCarren	Smith, C.
Aspinall	Dinehart	Kelly	McKenzie	Smith, M. A.
Baker, A. B.	Duffy	Kent	Moody	Smith, T.
Bauer	Dunlap	Kerrigan	Newschafer	Stevens
Blake	Edwards	Kimball	Pearsall	Tefft
Blanchfield	Endres	King	Peck	Townsend
Blumenthal	Enz	Lane	Rhodes	Van Gorder
Brown	Fitts	Larmon	Roesch	Walters
Bush, G. H.	Gibbs	Little	Ryan	West
Carson	Graham	Loder	Saunders	Whipple
Cheney	Groat	Longley	Savery	Yetman
Clark, J.	Guenther	Martin	Saxton	Young
Clarke, C. C.	Haffner	Mase	Schaaff	Youngman
Comstock	Hitt	Maynard		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 26, 1889. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill, No. 1136, entitled "An act to amend chapter 463 of the Laws of 1860, entitled 'An act to revise the charter of the city of Oswego, and the acts amendatory thereof.'"

DAVID B. HILL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connolly	Guenther	McAdam	Savery
Ainsworth	Coon	Haffner	McCann	Saxton
Andrus	Cottrell	Haggerty	McCarren	Schaaff

Aspinall	Cronin	Harwood	McKenzie	Sheehan
Baker, A. B.	Crosby	Hayes	McMaster	Sheldon
Bauer	Curtis	Hitt	Mead	Smith, T.
Blake	Decker	Hornidge	Miley	Strassburg
Blanchfield	Demarest	Hughes	Murray	Tefft
Blumenthal	Dinehart	Kerrigan	Newschafer	Van Gorder
Brown	Duffy	Kimball	O'Neil	Walters
Brownell	Dunlap	Lane	Pearsall	West
Bush, G. H.	Edwards	Larmon	Peck	Whipple
Carson	Endres	Little	Rhodes	Yates
Cheney	Enz	Loder	Roesch	Young
Clark, J.	Fish	Longley	Ryan	Youngman
Comstock	Fitts	Maynard	Saunders	

The vote upon the final passage of said bill having been reconsidered, On motion of Mr. Coon, and by unanimous consent, the same was amended as follows (references to engrossed bill):

Section 1, line 2, between the words "of" and "chapter" insert the words "title five of;" strike out "act," the last word of the amended section 39 in section 1 of said bill, and insert in place thereof the word "title."

Page 2, line 3, strike out the word "act" and insert in place thereof the word "title."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Guenther	McCann	Sheehan
Ainsworth	Cottrell	Haffner	McKenzie	Sheldon
Andrus	Crosby	Haggerty	McLaughlin	Smith, T.
Aspinall	Davidson	Harwood	Mead	Sperry
Baker, A. B.	Decker	Hitt	Miley	Stevens
Blake	Demarest	Hornidge	Moody	Strassburg
Blanchfield	Dinehart	Hughes	Murray	Tefft
Blumenthal	Dinkelspiel	Husted	Newschafer	Towne
Brown	Duffy	Kelly	O'Neil	Van Gorder
Brownell	Dunlap	Kent	Pearsall	Walters
Bush, G. H.	Edwards	Kimball	Peck	West
Carson	Endres	Lane	Rhodes	Whipple
Cheney	Enz	Lewis	Roesch	Yates
Clark, J.	Fitts	Loder	Ryan	Yetman
Clarke, C. C.	Gibbs	Longley	Saunders	Young
Comstock	Graham	Mase	Savery	Youngman
Connelly	Groat	McAdam	Schaaff	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

On motion of Mr. Kent, and by unanimous consent, the Senate bill

(Rec. No. 299) entitled "An act to amend an act entitled 'An act to incorporate the Faxon Hospital, in the city of Utica,' passed March 14, 1873," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Decker	Haggerty	McAdam	Saunders
Andrus	Demarest	Harwood	McCann	Savery
Aspinall	Dinehart	Hayes	McCarren	Saxton
Baker, A. B.	Dinkelspiel	Hornidge	McLaughlin	Schaaff
Baker, A. H.	Duffy	Hughes	McMaster	Sheldon
Barton	Dunlap	Husted	Mead	Smith, M. A.
Bauer	Edwards	Kelly	Mesick	Smith, T.
Blake	Endres	Kent	Moody	Sperry
Blanchfield	Enz	Kerrigan	Mullaney	Stevens
Brown	Fish	Kimball	Murray	Strassburg
Brownell	Fitts	Lane	Newschafer	Tefft
Carson	Gibbs	Le Roy	O'Neil	Van Gorder
Cheney	Graham	Little	Pearsall	Walters
Clark, J.	Greene	Loder	Rhodes	West
Clarke, C. C.	Groat	Longley	Rice	Whipple
Comstock	Guenther	Martin	Roesch	Yetman
Coon	Haffner	Mase	Ryan	Youngman
Cottrell	Hagan	Maynard		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Kimball, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Murphy, Int. No. 255, entitled "An act to amend chapter 305 of the Laws of 1885, entitled 'An act authorizing street surface railroad companies to contract with each other, and providing for a proper system of transfer of passengers,' and to permit partial abandonment of route by such railroad companies," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Husted, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

Mr. Kimball, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Linsou, Int. No. 251, entitled "An act regulating railway appliances to be used on all railway lines within the limits of the State of New York," reported in favor of the passage of the same, with amendments, which report was agreed to.

On motion of Mr. Ryan, and by unanimous consent, said bill was substituted for Assembly bill No. 470, now on the order of third reading, and ordered to be read the third time on Wednesday, May eighth.

Mr. Sheehan moved to extend the session until messages from the Senate now on the desk are received and disposed of.

Mr. Ainsworth moved to take a recess until 8 o'clock p. m.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Ainsworth, and it was determined in the affirmative.

Whereupon the House took a recess.

EIGHT O'CLOCK P. M.

The House again met.

Mr. Savery called from the table the bill entitled "An act for the more effectual protection of fish in the waters of Lake Ontario, its bays and inlets in the Northern part of Cayuga county." (No. 233.)

Said bill having been recalled from the Governor, and the question recurring upon reconsidering the vote by which said bill was passed,

Mr. Savery offered the following:

Resolved (if the Senate concur), That Assembly bill No. 233, entitled "An act for the more effectual protection of fish in the waters of Lake Ontario, its bays and inlets in the northern part of Cayuga county," be returned to the Governor without amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill Int. No. 795, entitled "An act to make and declare the 29th day of April and the 1st day of May, 1889, in certain cities of this State, legal holidays" (Rec. No. 319), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 519) entitled "An act to create a board of park commissioners in and for the city of Utica," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dinehart	Hornidge	McCarren	Ryan
Ainsworth	Dinkelspiel	Hughes	McKenzie	Saunders
Baker, A. B.	Duffy	Kelly	McLaughlin	Savery
Baker, A. H.	Edwards	Kent	McMaster	Saxton

Blanchfield	Enz	Kerrigan	Mead	Schaaff
Blumenthal	Fish	Kimball	Mesick	Sheldon
Brown	Flaherty	King	Moffitt	Smith, M. A.
Cheney	Gibbs	Lane	Moody	Smith, T.
Clarke, C. C.	Graham	Larmon	Mullaney	Sperry
Comstock	Greene	Lewis	Newschafer	Stevens
Cronin	Groat	Little	Nixon	Treadway
Crosby	Haffner	Loder	Pearsall	Upton
Curtis	Hagan	Longley	Peck	Walters
Davidson	Haggerty	Martin	Rhodes	West
Decker	Harwood	Maynard	Rice	Whipple
Demarest	Hitt	McAdam	Roesch	Yetman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1168) entitled "An act to amend chapter 576 of the Laws of 1888, entitled 'An act establishing a board of improvement and defining its powers and duties, and to provide for lighting the streets and other places in the town of New Utrecht, in the county of Kings,'" having been announced for a third reading,

On motion of Mr. Graham, and by unanimous consent, the same was amended as follows:

Section 2, line 4, engrossed bill, after the word "terms" add the words "and conditions."

Same section, line 10, after the word "bids" add the words "and contracts."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dinehart	Hitt	Mead	Sheldon
Baker, A. B.	Dinkelspiel	Hornidge	Mesick	Smith, M. A.
Bauer	Duffy	Hughes	Moffitt	Smith, T.
Blake	Dunlap	Husted	Moody	Sperry
Blanchfield	Edwards	Kimball	Nixon	Stevens
Blumenthal	Endres	King	O'Neil	Strassburg
Brown	Enz	Lane	Pearsall	Towne
Cheney	Fitts	Larmon	Peck	Townsend
Clarke, C. C.	Gibbs	Lewis	Roesch	Treadway
Comstock	Graham	Little	Ryan	Upton
Coon	Greene	Loder	Saunders	Van Gorder
Cronin	Haffner	Longley	Savery	Walters
Curtis	Hagan	Martin	Saxton	West
Davidson	Haggerty	McAdam	Schaaff	Whipple
Decker	Hamilton	McCarren	Sheehan	Yetman
Demarest	Harwood	McLaughlin		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 646) entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' touching local improvements and the department of fire, and repealing certain sections of said act," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Hamilton	McAdam	Savery
Ainsworth	Davidson	Harwood	McCann	Saxton
Aspinall	Decker	Hayes	McLaughlin	Schaaff
Baker, A. B.	Demarest	Hitt	McMaster	Sheldon
Baker, A. H.	Dinehart	Hornidge	Mead	Smith, M. A.
Bauer	Dinkelspiel	Hughes	Mesick	Smith, T.
Blake	Duffy	Husted	Moffitt	Sperry
Blanchfield	Dunham	Kelly	Moody	Stevens
Blumenthal	Dunlap	Kent	Mullaney	Townsend
Brown	Edwards	Kerrigan	Murray	Treadway
Bush, G. H.	Enz	Kimball	Newschafer	Upson
Carson	Gibbs	Lewis	Nixon	Walters
Cheney	Graham	Little	O'Neil	West
Clarke, C. C.	Greene	Loder	Pearsall	Whipple
Comstock	Haffner	Longley	Ryan	Yetman
Coon	Haggerty	Martin	Saunders	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 774) entitled "An act to amend chapter 497 of the Laws of 1884, entitled 'An act to amend chapter 141 of the Laws of 1871, entitled An act to abolish tolls on certain roads and bridges in the towns of Newtown and Flushing, in the county of Queens, and provide compensation therefor,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Hitt	Mesick	Saxton
Baker, A. B.	Demarest	Hughes	Miley	Schaaff
Baker, A. H.	Dinehart	Husted	Moody	Sheldon

Barton	Dinkelspiel	Kelly	Mullaney	Smith, M. A.
Blake	Duffy	Kent	Murray	Smith, T.
Blanchfield	Dunham	Kerrigan	Newschafer	Sperry
Blumenthal	Dunlap	Kimball	Nixon	Stevens
Brown	Edwards	King	O'Neil	Strassburg
Brownell	Fitts	Lane	Pearsall	Tefft
Carson	Gibbs	Larmon	Peck	Townsend
Clarke, C. C.	Graham	Longley	Rhodes	Treadway
Comstock	Greene	McCann	Rice	Walters
Coon	Guenther	McCarren	Roesch	West
Cronin	Haffner	McLaughlin	Ryan	Whipple
Crosby	Hamilton	McMaster	Saunders	Yetman
Curtis	Harwood	Mead	Savery	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 654) entitled "An act to repeal chapter 186 of the Laws of 1874, entitled 'An act for the relief of the president, directors and company of the Schoharie Kill Bridge Company,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Haffner	McLaughlin	Saunders
Ainsworth	Crosby	Harwood	McMaster	Savery
Baker, A. B.	Curtis	Hayes	Mead	Saxton
Baker, A. H.	Davidson	Hughes	Mesick	Sheldon
Barton	Dinehart	Husted	Miley	Smith, M. A.
Bauer	Dinkelspiel	Kelly	Moffitt	Smith, T.
Blake	Duffy	Kent	Moody	Stevens
Blanchfield	Dunham	Kimball	Mullaney	Strassburg
Blumenthal	Dunlap	King	Murray	Townsend
Brown	Edwards	Lane	Newschafer	Treadway
Brownell	Fitts	Larmon	Nixon	Van Gorder
Carson	Gallup	Loder	O'Neil	Walters
Clark, J.	Gibbs	Longley	Pearsall	West
Clarke, C. C.	Graham	Martin	Rhodes	Whipple
Comstock	Greene	McCann	Roesch	Yetman
Coon	Guenther	McCarren	Ryan	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 483) entitled "An act to amend section 3216 of the Code of Civil Procedure, in relation to the removal of certain actions into common pleas," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Greene	Longley	Ryan
Ainsworth	Davidson	Guenther	Mase	Saunders
Andrus	Decker	Haffner	McCann	Savery
Baker, A. B.	Demarest	Hagan	McCarren	Schaaff
Baker, A. H.	Dinehart	Harwood	McLaughlin	Sheldon
Bauer	Dinkelspiel	Hayes	Mead	Smith, M. A.
Blake	Duffy	Hughes	Moffitt	Smith, T.
Blanchfield	Dunham	Kelly	Moody	Sperry
Brownell	Dunlap	Kent	Mullaney	Stevens
Carson	Edwards	Kerrigan	Newschafer	Strassburg
Clark, J.	Endres	Kimball	Nixon	Townsend
Clarke, C. C.	Fish	King	O'Neil	Treadway
Comstock	Fitts	Lane	Peck	Walters
Coon	Flaherty	Larmon	Rhodes	West
Cottrell	Gibbs	Little	Roesch	Whipple
Cronin	Graham	Loder		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 487) entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,' and the acts amendatory thereof and supplementary thereto," having been announced for a third reading,

On motion of Mr. Coon, and by unanimous consent, the same was amended as follows:

Section 2, lines 18 and 19, printed bill, strike out the words "upon appeal" and insert the words "if appealed."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 3 }

Those who voted in the affirmative, were

Acker	Cottrell	Haggerty	McCann	Smith, C.
Ainsworth	Crosby	Hamilton	McKenzie	Smith, M. A.
Andrus	Curtis	Harwood	McLaughlin	Smith, T.
Aspinall	Davidson	Hitt	Mead	Sperry
Baker, A. B.	Decker	Hornidge	Miley	Stevens
Baker, A. H.	Dinehart	Hughes	Moffitt	Sullivan
Bauer	Dunlap	Husted	Murray	Tefft
Blake	Edwards	Kent	Newschafer	Towne
Blumenthal	Enz	King	Nixon	Treadway
Brown	Fish	Lane	Pearsall	Van Gorder

Brownell	Fitts	Larmon	Peck	Walters
Bush, G. H.	Flaherty	Little	Rhodes	West
Carson	Gallup	Loder	Saunders	Whipple
Clark, J.	Groat	Longley	Savery	Yetman
Clarke, C. C.	Haffner	Martin	Saxton	Young
Coon	Hagan	Mase	Sheldon	

Those who voted in the negative, were

Greene McMaster Strassburg

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the concurrent resolution returning to the Governor without amendment Assembly bill No. 233, entitled "An act for the more effectual protection of fish in the waters of Lake Ontario, its bays and inlets in the northern part of Cayuga county," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Speaker presented the third annual report of the Factory Inspectors of the State of New York; which was laid upon the table and ordered printed.

(See Doc. No. 14.)

The bill (No. 484) entitled "An act requiring the county clerks of each of the counties of this State to keep a register of the moneys directed by the judgments, decrees and orders of the courts to be deposited with the county treasurer of his county," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Hamilton	Mesick	Schaaff
Andrus	Demarest	Hayes	Miley	Sheldon
Aspinall	Dinehart	Hughes	Moffitt	Smith, M. A.
Baker, A. B.	Dinkelspiel	Husted	Moody	Smith, T.
Baker, A. H.	Dunham	Kent	Mullaney	Sperry
Bauer	Dunlap	King	Newschafer	Stevens
Blanchfield	Edwards	Lane	Nixon	Towne
Blumenthal	Enz	Larmon	O'Neil	Townsend
Brown	Fitts	Little	Pearsall	Treadway
Bush, G. H.	Flaherty	Loder	Peck	Upson
Carson	Gibbs	Longley	Rhodes	Walters
Clarke, C. C.	Greene	Martin	Rice	West
Coon	Groat	McCann	Roesch	Whipple
Cottrell	Haffner	McCarren	Saunders	Yetman
Crosby	Hagan	McMasier	Savery	Young
Davidson	Haggerty	Mead	Saxton	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 210) entitled "An act further to amend chapter 611 of the Laws of 1887, entitled 'An act to provide for the payment of pensions to members of the National Guard and their families in certain cases, as amended by chapter 329 of the Laws of 1888'" (Rec. No. 75), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Davidson	Hitt	McKenzie	Schaaff
Andrus	Decker	Hughes	McLaughlin	Sheldon
Aspinall	Demarest	Husted	Mead	Smith, M. A.
Baker, A. B.	Dinehart	Kelly	Mesick	Smith, T.
Baker, A. H.	Dunham	Kent	Miley	Sperry
Barton	Dunlap	Kerrigan	Moffitt	Stevens
Bauer	Edwards	Kimball	Moody	Tefft
Blake	Fitts	Lane	Murray	Towne
Brown	Flaherty	Larmon	Newschafer	Townsend
Brownell	Greene	Little	Nixon	Treadway
Carson	Groat	Loder	O'Neil	Upson
Cheney	Haffner	Longley	Pearsall	Walters
Clarke, C. C.	Hagan	Martin	Peck	West
Connelly	Haggerty	Maynard	Rhodes	Whipple
Coon	Hamilton	McAdam	Ryan	Yetman
Cottrell	Harwood	McCann	Saunders	Young
Crosby	Hayes	McCarren	Savery	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 211) entitled "An act to amend section 332 of the Code of Criminal Procedure, providing that no conviction shall be had upon a plea of guilty in certain cases" (Rec. No. 70), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 65 }
{ NOES 17 }

Those who voted in the affirmative, were

Ainsworth	Cottrell	Harwood	McLaughlin	Sheehan
Andrus	Creamer	Hayes	Moffitt	Sheldon
Aspinall	Curtis	Hitt	Moody	Smith, T.
Bauer	Decker	Hornidge	Murray	Sperry

Blanchfield	Dinehart	Husted	Newschafer	Stevens
Blumenthal	Fish	Kent	O'Neil	Sullivan
Brown	Fitts	Lane	Peck	Tefft
Brownell	Flaherty	Loder	Rice	Towne
Bush, G. H.	Gibbs	Longley	Ryan	Upson
Carson	Greene	Martin	Saunders	Walters
Cheney	Groat	McAdam	Savery	West
Clarke, C. C.	Haffner	McCarren	Saxton	Yetman
Connelly	Haggerty	McKenzie	Schaaff	Young

Those who voted in the negative, were

Acker	Comstock	Dunham	Larmon	Pearsall
Baker, A. B.	Crosby	Dunlap	Maynard	Rhodes
Baker, A. H.	Davidson	Kelly	Mead	Van Gorder
Blake	Demarest			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 193) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in relation to additional free public floating baths" (Rec. No. 57), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Hitt	McLaughlin	Saunders
Ainsworth	Demarest	Hughes	McMaster	Savery
Andrus	Dinehart	Husted	Mead	Sheehan
Bauer	Dinkelspiel	Kelly	Mesick	Sheldon
Blanchfield	Dunham	Kent	Miley	Smith, T.
Brown	Dunlap	Kerrigan	Moffitt	Stevens
Bush, G. H.	Endres	Lane	Moody	Tefft
Carson	Enz	Larmon	Murray	Townsend
Cheney	Fitts	Little	Newschafer	Treadway
Clark, J.	Groat	Longley	O'Neil	Upson
Comstock	Haffner	Martin	Pearsall	Walters
Connelly	Hagan	Maynard	Peck	West
Coon	Haggerty	McAdam	Rhodes	Whipple
Cottrell	Hamilton	McCann	Rice	Yetman
Cronin	Harwood	McCarren	Roesch	Young
Davidson	Hayes	McKenzie	Ryan	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The bill (No. 577) entitled "An act to amend chapter 318 of the Laws of 1842, entitled 'An act in addition to the provisions of the

Revised Statutes, regulating the collection of taxes, and the proceedings in relation to unpaid taxes," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Hamilton	McCann	Savery
Ainsworth	Cottrell	Harwood	McCarren	Schaaff
Andrus	Creamer	Hayes	McKenzie	Sheldon
Aspinall	Crosby	Hornidge	McLaughlin	Smith, T.
Baker, A. B.	Davidson	Hughes	Mead	Stevens
Baker, A. H.	Decker	Husted	Miley	Tefft
Bauer	Demarest	Kelly	Moffitt	Towne
Blanchfield	Dunham	Kent	Moody	Townsend
Blumenthal	Edwards	Kimball	Murray	Treadway
Brown	Endres	Lane	Newschafer	Upson
Bush, G. H.	Fish	Larmon	O'Neil	Walters
Carson	Fitts	Lewis	Pearsall	West
Cheney	Flaherty	Little	Peck	Whipple
Clark, J.	Groat	Loder	Rice	Yetman
Clarke, C. C.	Haffner	Longley	Roesch	Young
Comstock	Haggerty	Maynard	Saunders	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 199) entitled "An act to amend section 3 of chapter 180 of the Laws of 1845, entitled 'An act to reduce the number of town officers and town and county expenses, and to prevent abuses in auditing town and county accounts'" (Rec. No. 78), having been announced for a third reading,

On motion of Mr. Little, and by unanimous consent, the same was amended as follows:

Section 1, line 9, printed bill, insert after the word "prescribe" the words "but not less than \$1,000."

Same section, line 14, add at the end thereof the words "said bond and supervisor's approval thereof to be filed in the office of the town clerk."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Graham	Little	Ryan
Andrus	Cottrell	Groat	Loder	Saunders
Aspinall	Cronin	Guenther	Longley	Savery

Baker, A. B.	Crosby	Haffner	McAdam	Sheldon
Baker, A. H.	Davidson	Haggerty	McLaughlin	Stevens
Bauer	Decker	Harwood	Mead	Sullivan
Blanchfield	Demarest	Hayes	Moffitt	Tefft
Blumenthal	Duffy	Hornidge	Moody	Towne
Brown	Dunham	Hughes	Mullaney	Townsend
Brownell	Dunlap	Husted	Newschafer	Upton
Bush, G. H.	Edwards	Kelly	O'Neil	Walters
Carson	Endres	Kent	Pearsall	West
Cheney	Fish	Kerrigan	Peck	Whipple
Clarke, C. C.	Fitts	Lane	Rice	Yetman
Comstock	Flaherty	Larmon	Roesch	Young
Connelly	Gallup	Lewis		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The bill (No. 579) entitled "An act to authorize the conveyance of real property by religious corporations," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Crosby	Haggerty	McAdam	Savery
Aspinall	Davidson	Hamilton	McKenzie	Schaaff
Baker, A. B.	Decker	Harwood	McLaughlin	Sheldon
Baker, A. H.	Demarest	Hayes	Mesick	Smith, T.
Bauer	Dinehart	Hitt	Miley	Sperry
Blake	Duffy	Hughes	Moffitt	Stevens
Blanchfield	Dunham	Husted	Moody	Strassburg
Brown	Dunlap	Kelly	Murray	Tefft
Brownell	Edwards	Kent	Newschafer	Towne
Bush, G. H.	Endres	Kerrigan	O'Neil	Townsend
Carson	Fitts	King	Pearsall	Van Gorder
Cheney	Flaherty	Lane	Peck	Walters
Clarke, C. C.	Graham	Larmon	Rhodes	West
Comstock	Groat	Lewis	Rice	Whipple
Connelly	Guenther	Little	Ryan	Yetman
Cottrell	Haffner	Longley	Saunders	Young
Cronin	Hagan			

For the negative,

Mead

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No 867) entitled "An act to amend section 4, chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Cronin	Hamilton	McLaughlin	Saxton
Ainsworth	Crosby	Hayes	Mead	Smith, C.
Aspinall	Davidson	Hitt	Mesick	Smith, M. A.
Baker, A. B.	Decker	Hughes	Miley	Smith, T.
Baker, A. H.	Demarest	Kent	Moffitt	Sperry
Barton	Dinehart	King	Moody	Stevens
Bauer	Duffy	Lane	Mullaney	Strassburg
Blanchfield	Dunham	Larmon	Murray	Sullivan
Blumenthal	Dunlap	Lewis	Newschafer	Towne
Brown	Edwards	Little	O'Neil	Townsend
Carson	Fitts	Loder	Peck	Van Gorder
Cheney	Graham	Longley	Rhodes	Walters
Clarke, C. C.	Groat	Mase	Rice	West
Comstock	Guenther	Maynard	Ryan	Yetman
Connelly	Haffner	McAdam	Saunders	Young
Cottrell	Haggerty	McKenzie	Savery	

For the negative,

Enz

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 439) entitled "An act to authorize the board of town officers of the town of Northfield, in the county of Richmond, to reopen, maintain and keep open the ditch, water-course or canal opened through said town of Northfield, pursuant to chapter 747 of the Laws of 1869" (Rec. No. 173), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Cottrell	Haffner	McLaughlin	Savery
Andrus	Cronin	Haggerty	Mead	Saxton
Aspinall	Crosby	Hamilton	Mesick	Schaaff
Baker, A. B.	Davidson	Hayes	Miley	Sheldon
Baker, A. H.	Decker	Hitt	Moffitt	Smith, T.
Bauer	Demarest	Hughes	Moody	Strassburg
Blake	Dinehart	Kent	Mullaney	Sullivan
Blanchfield	Dunham	Kerrigan	Murray	Tefft

Blumenthal	Dunlap	Lane	O'Neil	Towne
Brown	Edwards	Larmon	Pearsall	Townsend
Carson	Endres	Lewis	Peck	Upson
Cheney	Fish	Little	Rhodes	Walters
Clark, J.	Fitts	Loder	Rice	West
Clarke, C. C.	Flaherty	Longley	Roesch	Whipple
Comstock	Gibbs	McCarren	Ryan	Yetman
Connelly	Groat	McKenzie	Saunders	Young
Coon	Guenther			

For the negative,

Bush, G. H.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (Rec. No. 176) entitled "An act for the relief of Michael J. McCabe," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Haggerty	McLaughlin	Schaaff
Andrus	Davidson	Hamilton	Mead	Sheldon
Aspinall	Decker	Hitt	Miley	Smith, M. A.
Baker, A. B.	Demarest	Hornidge	Moody	Smith, T.
Baker, A. H.	Dinehart	Hughes	Mullaney	Strassburg
Bauer	Dinkelspiel	Husted	Murray	Sullivan
Blake	Duffy	Kent	Newschafer	Tefft
Blanchfield	Dunlap	Kerrigan	O'Neil	Townsend
Blumenthal	Endres	Lane	Pearsall	Upson
Brown	Fitts	Larmon	Peck	Van Gorder
Carson	Flaherty	Little	Rhodes	Walters
Cheney	Gallup	Loder	Rice	West
Clark, J.	Gibbs	Longley	Roesch	Whipple
Clarke, C. C.	Graham	McAdam	Ryan	Yetman
Comstock	Groat	McCann	Saunders	Young
Connelly	Guenther	McCarren	Savery	Youngman
Coon	Haffner	McKenzie	Saxton	Speaker
Cottrell				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 399) entitled "An act to change the name of the Brooklyn Nursery" (Rec. No. 177), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Guenther	McCann	Savery
Andrus	Crosby	Haffner	McCarren	Saxton
Aspinall	Davidson	Haggerty	McKenzie	Schaaff
Baker, A. B.	Decker	Hamilton	Mead	Sheldon
Baker, A. H.	Demarest	Harwood	Mesick	Smith, T.
Bauer	Dinehart	Hornidge	Moody	Stevens
Blake	Dinkelspiel	Hughes	Murray	Strassburg
Blanchfield	Duffy	Husted	Newschafer	Sullivan
Blumenthal	Dunham	Kent	Nixon	Towne
Brown	Edwards	Kerrigan	O'Neil	Upson
Carson	Endres	King	Pearsall	Van Gorder
Cheney	Enz	Lane	Peck	Walters
Clarke, C. C.	Fish	Larmon	Rice	West
Comstock	Fitts	Little	Roesch	Whipple
Connelly	Flaherty	Loder	Ryan	Yetman
Coon	Graham	Longley	Saunders	Young
Cottrell	Groat	McAdam		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 331) entitled "An act to release certain lands, which have escheated to the State to Jacob Scherer, and enable him to convey the same" (Rec. No. 179), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Haggerty	McCarren	Savery
Andrus	Davidson	Hamilton	McKenzie	Schaaff
Aspinall	Decker	Hayes	McLaughlin	Smith, C.
Baker, A. B.	Demarest	Hornidge	Mead	Smith, T.
Bauer	Dinehart	Hughes	Mesick	Sperry
Blake	Duffy	Husted	Moody	Strassburg
Blanchfield	Dunham	Kelly	Murray	Tefft
Blumenthal	Dunlap	Kent	Newschafer	Towne
Brown	Edwards	Kerrigan	Nixon	Treadway
Carson	Endres	King	O'Neil	Upson
Cheney	Fitts	Lane	Pearsall	Van Gorder
Clarke, C. C.	Flaherty	Larmon	Peck	Walters
Comstock	Gallup	Loder	Rhodes	West
Connelly	Gibbs	Longley	Rice	Whipple
Coon	Graham	Mase	Roesch	Yetman
Cottrell	Groat	McAdam	Ryan	Young
Creamer	Guenther	McCann	Saunders	Youngman
Cronin	Haffner			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Ryan offered for the consideration of the House, a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill Int. No. 1174, entitled "An act to authorize the board of trustees of the village of Greenbush to make and establish the grade of streets and to legalize the work for street improvements," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. C. C. Clarke offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 664, entitled "An act to authorize the comptroller of the city of New York to examine the claim of John J. Clarke, and to audit and allow the same," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill Int. No. 447, entitled "An act for the relief of Michael Dolan and George L. Loutrel" (Rec. No. 178), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 491) entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,'" having been announced for a third reading,

On motion of Mr. Sperry, and by unanimous consent, the same was amended as follows:

Lines 45 and 46, printed bill, after the word "Brooklyn" strike out the words "the sum of two thousand dollars to be paid to the Women's Hospital of the city of Brooklyn."

Mr. Graham moved to amend by inserting after the word "hospital," in line 48, the words "and the sum of fifteen hundred dollars to be paid to the Lutheran Hospital Association of the city of New York and vicinity."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. McCarren moved to amend by inserting after the word "dispensary," section 1, line 43, printed bill, the words "the sum of fifteen

hundred dollars to be paid to the dispensary of College of Physicians and Surgeons of St. Mary's Hospital in the city of Brooklyn."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 2 }

Those who voted in the affirmative, were

Acker	Davidson	Harwood	McCarren	Savery
Andrus	Decker	Hornidge	McKénzie	Saxton
Baker, A. B.	Demarest	Hughes	McLaughlin	Schaaff
Blake	Dinehart	Husted	Mead	Sheldon
Blanchfield	Dinkelspiel	Kelly	Mesick	Smith, M. A.
Blumenthal	Duffy	Kent	Moody	Smith, T.
Brownell	Dunham	Kerrigan	Mullaney	Strassburg
Carson	Dunlap	Lane	Murray	Sullivan
Cheney	Edwards	Larmon	Newschafer	Tefft
Clarke, C. C.	Endres	Little	O'Neil	Towne
Comstock	Fitts	Loder	Peck	Treadway
Connelly	Gallup	Longley	Rhodes	Van Gorder
Coon	Graham	Mase	Rice	Walters
Cottrell	Haffner	Maynard	Roesch	West
Cronin	Hagan	McAdam	Ryan	Whipple
Curtis	Haggerty	McCann	Saunders	Young

Those who voted in the negative, were

Crosby Hamilton

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The Senate bill (No. 408), entitled "An act to amend 332 of the Laws of 1872, entitled 'An act to incorporate the Holy Sepulchre Cemetery in the city of Rochester'" (Rec. No. 175), was read the third time.

Mr. Speaker, put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Haggerty	McAdam	Saunders
Baker, A. B.	Demarest	Hamilton	McCann	Savery
Bauer	Dinehart	Harwood	McCarren	Sheldon
Blake	Duffy	Hornidge	McKenzie	Smith, M. A.

Blanchfield	Dunham	Hughes	McLaughlin	Smith, T.
Blumenthal	Dunlap	Husted	Mead	Strassburg
Brownell	Edwards	Kent	Mesick	Sullivan
Carson	Endres	Kerrigan	Miley	Treadway
Cheney	Enz	King	Moody	Upson
Clarke, C. C.	Fitts	Lane	Mullaney	Van Gorder
Comstock	Flaherty	Larmon	Murray	Walters
Connelly	Graham	Little	O'Neil	West
Coon	Groat	Loder	Pearsall	Whipple
Cottrell	Guenther	Longley	Peck	Yetman
Crosby	Haffner	Martin	Roesch	Young
Curtis	Hagan	Mase	Ryan	Youngman
Davidson				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (Rec. No. 178) entitled "An act for the relief of Michael Dolan and George L. Loutrel," having been announced for a third reading,

On motion of Mr. Hornidge, and by unanimous consent, the same was amended as follows:

At the end of section 2 strike out the word "eighty-nine" and insert the word "ninety."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Hughes	Mead	Smith, M. A.
Andrus	Demarest	Husted	Mesick	Smith, T.
Baker, A. B.	Dinkelspiel	Kelly	Miley	Strassburg
Barton	Duffy	Kent	Moody	Sullivan
Bauer	Dunham	Kerrigan	Mullaney	Tefft
Blake	Edwards	Lane	Murray	Towne
Blanchfield	Endres	Larmon	Newschafer	Townsend
Brown	Enz	Little	O'Neil	Treadway
Carson	Fitts	Loder	Pearsall	Upson
Cheney	Flaherty	Longley	Rhodes	Van Gorder
Clarke, C. C.	Graham	Martin	Rice	Walters
Comstock	Groat	Mase	Ryan	West
Connelly	Guenther	Maynard	Saunders	Whipple
Coon	Haffner	McAdam	Savery	Yetman
Cottrell	Hagan	McCann	Saxton	Young
Cronin	Harwood	McCarren	Schaaff	Youngman
Crosby	Hayes	McKenzie	Sheldon	Speaker
Davidson	Hitt	McLaughlin		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The Senate bill (No. 245) entitled "An act to amend chapter 461, Laws of 1871, entitled 'An act to revise the charter of Long Island City'" (Rec. No. 180), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Guenther	Mase	Savery
Andrus	Cronin	Haffner	McCann	Saxton
Aspinall	Crosby	Hagan	McCarren	Schaaff
Baker, A. B.	Curtis	Hamilton	McKenzie	Sheldon
Baker, A. H.	Davidson	Harwood	Mead	Smith, M. A.
Barton	Decker	Hitt	Mesick	Smith, T.
Bauer	Demarest	Hughes	Miley	Strassburg
Blake	Dinkelspiel	Husted	Moody	Tefft
Blanchfield	Duffy	Kelly	Murray	Townsend
Blumenthal	Dunham	Kent	Newschafer	Treadway
Brown	Edwards	Kerrigan	O'Neil	Van Gorder
Carson	Endres	Lane	Pearsall	Walters
Cheney	Enz	Larmon	Rhodes	West
Clarke, C. C.	Fitts	Little	Rice	Whipple
Comstock	Flaherty	Loder	Roesch	Yetman
Connelly	Graham	Longley	Ryan	Young
Coon	Groat	Martin	Saunders	Youngman

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same.

The bill (No. 876) entitled "An act to amend subdivision 2 of section 3215 of the Code of Civil Procedure, relative to the jurisdiction of district courts of the city of New York," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Groat	McCarren	Sheldon
Andrus	Cottrell	Guenther	McKenzie	Smith, M. A.
Baker, A. B.	Cronin	Haffner	Mead	Smith, T.
Baker, A. H.	Crosby	Hagan	Mesick	Sullivan
Barton	Davidson	Hayes	Miley	Tefft
Bauer	Decker	Hitt	Moody	Towne
Blake	Dinkelspiel	Hughes	Murray	Townsend
Blanchfield	Duffy	Kerrigan	O'Neil	Treadway

Blumenthal	Dunham	King	Pearsall	Upson
Brown	Endres	Lane	Peck	Van Gorder
Carson	Enz	Larmon	Rice	Walters
Cheney	Fitts	Little	Roesch	West
Clark, J.	Flaherty	Longley	Saunders	Whipple
Clarke, C. C.	Gallup	Mase	Savery	Yetman
Comstock	Gibbs	McAdam	Saxton	Youngman
Connelly	Graham	McCann	Schaaff	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 556) entitled "An act to provide for the completion of the north extension of the building in the Central park in the city of New York occupied by the Metropolitan Museum of Art" (Rec. No. 325), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Greene	Longley	Savery
Andrus	Crosby	Groat	McAdam	Saxton
Baker, A. B.	Curtis	Guenther	McCann	Schaaff
Baker, A. H.	Davidson	Haffner	McCarren	Sheldon
Barton	Decker	Hagan	McKenzie	Smith, M. A.
Bauer	Demarest	Hamilton	Mead	Smith, T.
Blake	Dinkelspiel	Hayes	Mesick	Tefft
Blanchfield	Duffy	Hitt	Moody	Townsend
Blumenthal	Dunham	Hughes	Murray	Treadway
Carson	Edwards	Husted	Newschafer	Upson
Cheney	Endres	Kent	O'Neil	Van Gorder
Clark, J.	Enz	Kerrigan	Pearsall	Walters
Clarke, C. C.	Flaherty	King	Peck	West
Connelly	Gallup	Lane	Roesch	Whipple
Coon	Gibbs	Larmon	Ryan	Yetman
Cottrell	Graham	Loder	Saunders	Youngman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That 2,000 extra copies of the report of the Senate committee to investigate certain charges relative to the abuse of the public service in the city of New York, under resolution of April 11, 1888, be printed for the use of the Legislature.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES' 29 }
{ NOES 51 }

Those who voted in the affirmative, were

Acker	Cottrell	Graham	Longley	Ryan
Baker, A. B.	Davidson	Greene	McAdam	Smith, T.
Barton	Decker	Haggerty	Miley	Tefft
Blanchfield	Duffy	Harwood	Murray	Treadway
Clark, C. C.	Edwards	Husted	Newschafer	Walters
Comstock	Gibbs	Kimball	O'Neil	

Those who voted in the negative, were

Ainsworth	Cronin	Hamilton	McKenzie	Sperry
Baker, A. H.	Crosby	Hitt	Mesick	Stevens
Bauer	Curtis	Hughes	Moody	Strassburg
Blake	Dunham	Kent	Pearsall	Sullivan
Blumenthal	Dunlap	Kerrigan	Peck	Towne
Brown	Endres	King	Roesch	Townsend
Bush, G. H.	Enz	Lane	Saunders	Upson
Carson	Fitts	Larmon	Savery	Van Gorder
Cheney	Gallup	Maynard	Schaaff	Whipple
Clark, J.	Haffner	McCann	Sheldon	Speaker
Connelly				

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have nonconcurring in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That Senate bill No. 171, entitled "An act to amend chapter 631 of the Laws of 1887, entitled 'An act conferring jurisdiction upon the Board of Claims to rehear the claim of James O'Brien against the State and to make an award therein,'" be returned to the Governor without amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the concurrent resolutions recalling from the Governor, for the purposes of amendment, the following entitled Assembly bills, with a message that they have concurred in the passage of the same:

"An act to authorize the board of trustees of the village of Greenbush to make and establish the grade of streets and to legalize the work for street improvements." (Int. No. 1174.)

"An act to authorize the comptroller of the city of New York to examine the claim of John J. Clarke, and to audit and allow the same." (No. 664.)

Ordered, That the Clerk deliver said resolutions to the Governor.

The Senate returned the following entitled bill:

"An act to revise and consolidate the laws for suppressing intemperance and for regulating the sale of intoxicating liquors." (No. 886.)

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill entitled "An act to amend, revise and consolidate the several acts relating to the village of Cooperstown in the county of Otsego" (No. 707), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the following entitled Senate bills, with a message that they have concurred in the amendments of the Assembly thereto:

"An act to provide for the organization and regulation of natural gas companies, being 'An act supplemental to chapter 611 of the Laws of 1875, entitled An act to provide for the organization and regulation of certain business corporations.'" (Rec. No. 143.)

"An act to amend chapter 314 of the Laws of 1874, entitled 'An act to establish a board of police and fire commissioners of the city of Utica,' as amended by chapter 423, Laws of 1876; chapter 474, Laws of 1883; chapter 93, Laws of 1884; chapter 140, Laws of 1886; chapter 541, Laws of 1886; chapter 607, Laws of 1887; and to limit the amount to be expended by said board." (Rec. No. 102.)

"An act to prevent deception in sales of vinegar, and charging the New York State Dairy Commissioner with its enforcement." (No. 583.)

Ordered, That the Clerk return said bills to the Senate.

The Speaker and Clerk referred the following entitled bills to the subcommittee of the whole:

Int. 879, No. 1011, "An act authorizing railroad corporations which have purchased the right, franchise and privilege of using streets, roads, avenues, parks or public places at public auction for a percentage per annum of their gross receipts, to use the tracks of other railroad companies."

Int. 435, No. 1059, "An act to amend chapter 409 of the Laws of 1882, entitled 'An act to revise the statutes of this State relating to banks, banking and trust companies.'"

Indefinite leave of absence was granted to Mr. Yates.

The privileges of the floor were extended to Hon. P. H. Kerwin.

The hour of 10 o'clock having arrived, the House adjourned.

WEDNESDAY, MAY 8, 1889.

The House met pursuant to adjournment.

Prayer by Rev. William H. Tracy.

On motion of Mr. Husted, the journal of yesterday was approved without being read.

The privileges of the floor were extended to Hons. Jas. S. Sherman, Alex. M. Holmes, Gen. Graves, Mr. Carley, George Chambers and W. W. Warran.

Mr. Peck offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 1158, entitled "An act to amend chapter 282 of the Laws of 1887, entitled 'An act to further amend chapter 75 of the Laws of 1878, entitled An act in relation to the bonded indebtedness of villages, cities, towns and counties, as

amended by chapter 317 of the Laws of 1878, and by chapter 244 of the Laws of 1884," now on the order of third reading, be made a special order for to-day.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Gibbs offered for the consideration of the House a resolution, in the words following:

Resolved, That Senate bill No. 623, entitled "An act to amend section 716 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,'" now on the order of third reading, be made a special order for May ninth at 12 m.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Sperry, and by unanimous consent, the committee of the whole was discharged from the further consideration of Senate bill, Rec. No. 48, entitled "An act to amend title 11 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,'" and the same was ordered to a third reading, and to be read the third time to-day.

Mr. Stevens offered for the consideration of the House, a resolution, in the words following:

Resolved, That Assembly bill No. 1217, entitled "An act to amend chapter 313 of the Laws of 1886, entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of New York,' as amended by chapter 166 of the Laws of 1887," now on the order of third reading, be read the third time to-day.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Hagan, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill (No. 1191) entitled "An act to amend chapter 582 of the Laws of 1880, entitled 'An act to provide for excavating and tunneling and bridging for transportation purposes within villages and cities of this State,'" and the same was ordered to a third reading and referred to the committee on revision.

Mr. Haffner offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 825, entitled "An act to amend chapter 404 of the Laws of 1875, entitled 'An act to authorize appropriations for the poor adult blind in the city of New York not provided for in public or private institutions,'" now on the order of third reading, be read the third time on Thursday, May ninth, at 12 o'clock, noon.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Hitt offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on canals be discharged from further consideration of Assembly bill No. 640, entitled "An act to facilitate

transportation on the canals," and that the same be restored to its place on the order of third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. T. Smith offered for the consideration of the House a resolution in the words following:

Resolved, That Senate bill, Rec. No. 81, entitled "An act for the relief of James Monaghan," now on the order of third reading, be read the third time on Thursday, after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. McKenzie introduced a bill entitled "An act to provide for the sale of the real estate of Genesee County Agricultural Society" (Int. No. 1229), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. McKenzie, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and to be read the third time on Friday, May tenth.

On motion of Mr. Sheehan, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill (No. 978) entitled "An act to amend chapter 472 of the Laws of 1881, entitled 'An act to amend chapter 85 of the Laws of 1880, entitled 'An act supplemental to chapter 40 of the Laws of 1848, entitled An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes, and the amendments made thereto,'" and the same was ordered to a third reading, and ordered to be read the third time on Thursday, May ninth, at 12 o'clock, noon.

On motion of Mr. Husted, and by unanimous consent, the committee of the whole was discharged from the further consideration of Senate bill No. 341, entitled "An act relative to the power of the board of street opening and improvement in the city of New York" (Rec. No. 283), and the same was ordered to a third reading.

On motion of Mr. Husted, and by unanimous consent, the committee of the whole was discharged from the further consideration of Senate bill No. 135, entitled "An act to amend chapter 536 of the Laws of 1888, entitled 'An act to amend chapter 474 of the Laws of 1885, entitled An act to amend chapter 267 of the Laws of 1875, entitled An act for the incorporation of societies or clubs for certain lawful purposes'" (Rec. No. 115), and the same was ordered to a third reading.

Mr. Gibbs offered for the consideration of the House a resolution, in the words following:

Resolved, That Senate bill No. 333, entitled "An act to amend section 691 of the Penal Code, relating to habitual criminals," now on the order of third reading, be made a special order for May 9, 1889, at 12 o'clock, noon.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Sullivan offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee of the whole be discharged from the

further consideration of Assembly bill No. 1196, entitled "An act to amend section 1 of title 19, entitled 'Local Improvements,' of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interest in the city of Brooklyn,'" and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Towne introduced a bill entitled "An act to amend chapter 84 of the Laws of 1886, entitled 'An act to incorporate the city of Jamestown'" (Int. No. 1230), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Towne, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and referred to the committee on revision.

Mr. Sheldon introduced a bill entitled "An act to incorporate the Church Insurance Association" (Int. No. 1231), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. McCann offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 1180, entitled "An act relative to the cleaning of streets, avenues, alleys and public places in the city of Brooklyn, and to provide means of payment for the same," now on the order of third reading, be read the third time on Thursday, at 12.30 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Coon offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 669, entitled "An act requiring clerks of the counties of this State to execute bonds for the faithful discharge of their duties, and to account for and pay over all moneys deposited with them, as such clerks, pursuant to law or the orders of courts," now on the order of third reading, be read the third time to-morrow (Thursday) morning, May ninth, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

A message from the Senate was received and read, in the words following:

IN SENATE, *April 26, 1889.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 263) entitled "An act to authorize the Board of Claims to hear, audit and determine the claims of Salmon Tuttle against the State, for property taken and damages to other property caused by the State, and for loss incurred or growing out of the enlargement of the Erie canal, and to make an award therefor." (Rec. No. 110.)

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. Coggeshall, and by unanimous consent, the same was amended as follows:

Section 1, lines 11 and 12 (engrossed bill), strike out the words "as if such claim had accrued within two years prior to the time of such hearing" and insert in lieu thereof the words "with the like effect as if such claim had been duly filed within two years after the claim accrued, provided such claim shall be filed within six months after the passage of this act."

And as amended passed, reengrossed, and ordered to be sent to the Assembly for concurrence.

By order.

JOHN S. KENYON, *Clerk*.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Haggerty	McCann	Saunders
Adams	Cronin	Hamilton	McCarren	Saxton
Andrus	Curtis	Harwood	McKenzie	Schaaff
Ainsworth	Davidson	Hitt	McMaster	Sheehan
Aspinall	Decker	Hughes	Mead	Sperry
Baker, A. B.	Demarest	Kent	Mesick	Stevens
Blanchfield	Dunham	Kimball	Moffitt	Strassburg
Brown	Dunlap	Lane	Moody	Sullivan
Brownell	Edwards	Larmon	Murray	Upson
Carson	Endres	Lewis	O'Neil	Van Gorder
Cheney	Enz	Little	Pearsall	West
Clark, J.	Gibbs	Loder	Peck	Whipple
Clarke, C. C.	Groat	Longley	Rhodes	Yetman
Comstock	Guenther	Martin	Rice	Young
Connelly	Haffner	Maynard	Roesch	Youngman
Coon	Hagan	McAdam		

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Hitt	Mead	Saxton
Adams	Curtis	Hughes	Mesick	Sheldon
Ainsworth	Davidson	Husted	Miley	Smith, M. A.

Andrus	Decker	Kent	Moffitt	Smith, T.
Aspinall	Demarest	Kerrigan	Moody	Sperry
Baker, A. B.	Dunlap	Kimball	Murray	Stevens
Bauer	Endres	King	Newschafer	Strassburg
Blanchfield	Enz	Little	Nixon	Sullivan
Blumenthal	Gibbs	Loder	Pearsall	Van Gorder
Brown	Groat	Longley	Peck	Walters
Brownell	Guenther	Martin	Rhodes	West
Carson	Haffner	McCann	Roesch	Whipple
Cheney	Hagan	McCarren	Ryan	Yetman
Clark, J.	Haggerty	McKenzie	Saunders	Young
Comstock	Hamilton	McLaughlin	Savery	Youngman
Coon	Harwood	McMaster		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

A message from the Senate was received and read in the words following:

IN SENATE, *May 6, 1889.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 226) entitled "An act to amend section 2 of chapter 358 of the Laws of 1862, entitled 'An act to incorporate the American Missionary Association,' and further to amend section 4 of the said act as amended by chapter 796 of the Laws of 1871 and by chapter 52 of the Laws of 1886." (Rec. No. 85.)

The vote upon the final passage of said bill having been reconsidered, On motion of Mr. Hendricks, and by unanimous consent, the same was amended as follows:

Strike out all of section 2, and make "§ 3" "§ 2."

Amend the title so as to read as follows:

"An act to amend section 2 of chapter 358 of the Laws of 1862, entitled 'An act to incorporate the American Missionary Association.'"

And as amended, passed, reëngrossed and ordered sent to the Assembly for concurrence.

By order.

JOHN S. KENYON, *Clerk.*

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Hitt	McMaster	Saxton
Adams	Demarest	Hughes	Mead	Sheldon
Ainsworth	Dinehart	Husted	Mesick	Smith, T.
Aspinall	Dinkelspiel	Kent	Miley	Stevens
Baker, A. B.	Dunlap	Kerrigan	Moffitt	Strassburg

Bauer	Edwards	Kimball	Moody	Sullivan
Blake	Endres	Lane	Murray	Towne
Brown	Enz	Larmon	Newschafer	Treadway
Carson	Fish	Lewis	Nixon	Upson
Cheney	Gibbs	Little	Pearsall	Van Gorder
Clark, J.	Graham	Loder	Peck	Walters
Comstock	Guenther	Longley	Rhodes	West
Connelly	Haffner	Martin	Rice	Whipple
Cottrell	Hagan	McCann	Roesch	Yetman
Cronin	Haggerty	McCarren	Ryan	Young
Curtis	Hamilton	McKenzie	Saunders	Youngman
Davidson	Harwood			

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Haggerty	McKenzie	Saunders
Adams	Curtis	Hamilton	McMaster	Saxton
Ainsworth	Davidson	Hitt	Mead	Sheehan
Andrus	Decker	Hughes	Mesick	Sheldon
Baker, A. B.	Demarest	Husted	Miley	Smith, T.
Bauer	Dinehart	Kent	Moffitt	Stevens
Blake	Dunham	Kimball	Moody	Strassburg
Blanchfield	Dunlap	Lane	Mullaney	Sullivan
Brown	Edwards	Larmon	Murray	Towne
Bush, R. P.	Endres	Lewis	Newschafer	Townsend
Carson	Enz	Little	Nixon	Upson
Cheney	Fish	Loder	O'Neil	Van Gorder
Clark, J.	Flaherty	Longley	Pearsall	Walters
Connelly	Gibbs	Martin	Peck	West
Coon	Haffner	McCann	Roesch	Young
Cottrell	Hagan	McCarren	Ryan	Youngman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 26, 1889. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill, Int. No. 502, entitled "An act to amend section 11 of chapter 84 of the Laws of 1887, entitled 'An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, in

relation to the powers, duties and health fund of the board of health, and of the health department of the city of New York, and for the preservation of the public health.'"

DAVID B. HILL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Hamilton	McMaster	Saxton
Adams	Cronin	Harwood	Mead	Schaaff
Ainsworth	Crosby	Hitt	Mesick	Sheehan
Andrus	Curtis	Hughes	Moffitt	Sheldon
Baker, A. B.	Donaldson	Husted	Moody	Smith, T.
Bauer	Decker	Kent	Newschafer	Stevens
Blake	Demarest	Lane	Nixon	Strassburg
Blanchfield	Dunham	Larmon	O'Neil	Sullivan
Brown	Dunlap	Lewis	Pearsall	Townsend
Bush, R. P.	Edwards	Loder	Peck	Van Gorder
Carson	Endres	Longley	Rhodes	Walters
Cheney	Enz	Mase	Rice	West
Clark, J.	Flaherty	Maynard	Roesch	Whipple
Comstock	Gibbs	McCann	Ryan	Young
Connelly	Guenther	McCarren	Saunders	Youngman
Coon	Haffner	McKenzie	Savery	

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. Roesch, and by unanimous consent, the same was amended as follows (reference to engrossed bill):

Section 1, line 1, strike out the words "eleven of chapter eighty-four of the Laws of one thousand eight hundred and eighty-seven, entitled 'An act to amend'" and insert in place thereof the words "six hundred and sixty-three of."

Strike out the second and third lines from the bottom of page 1 of engrossed bill altogether.

Amend the title by striking out in the second line the words "Section eleven of chapter eighty-four of the Laws of one thousand eight hundred and eighty-seven, entitled 'An act to amend.'"

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Hagan	McCarren	Roesch
Adams	Coon	Haggerty	McKenzie	Saunders
Ainsworth	Cottrell	Harwood	McLaughlin	Saxton

Andrus	Curtis	Hitt	Mead	Sheldon
Aspinall	Davidson	Hughes	Mesick	Smith, M. A.
Baker, A. B.	Decker	Husted	Miley	Smith, T.
Baker, A. H.	Demarest	Kent	Moffitt	Stevens
Bauer	Dunham	Kimball	Moody	Strassburg
Blake	Dunlap	King	Mullaney	Townsend
Blanchfield	Edwards	Lane	Murray	Van Gorder
Brown	Endres	Larmon	Newschafer	Walters
Bush, R. P.	Enz	Lewis	Nixon	West
Carson	Fish	Loder	Pearsall	Whipple
Cheney	Flaherty	Longley	Peck	Young
Clark, J.	Gallup	Martin	Rhodes	Youngman
Comstock	Haffner	Mase	Rice	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 26, 1889. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 448, entitled "An act to legalize certain proceedings of the common council and officers of the city of Buffalo."

DAVID B. HILL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Hitt	Miley	Saxton
Adams	Coon	Hughes	Moffitt	Sheehan
Ainsworth	Cottrell	Husted	Moody	Smith, T.
Andrus	Curtis	Kent	Murray	Stevens
Aspinall	Davidson	Kimball	Newschafer	Strassburg
Baker, A. B.	Decker	King	Nixon	Sullivan
Bauer	Demarest	Lane	O'Neil	Townsend
Blake	Dunham	Larmon	Pearsall	Treadway
Blanchfield	Dunlap	Lewis	Peck	Van Gorder
Brown	Edwards	Little	Rhodes	Walters
Brownell	Enz	Loder	Rice	West
Bush, R. P.	Flaherty	Longley	Roesch	Whipple
Carson	Gallup	Martin	Ryan	Yetman
Cheney	Haffner	McCarren	Saunders	Young
Clark, J.	Hamilton	Mead	Savery	Youngman
Clarke, C. C.	Harwood	Mesick		

The vote upon the final passage of said bill having been reconsidered, On motion of Mr. Guenther, and by unanimous consent, the same was amended as follows:

Section 1, line 4, printed bill, after the word "river" insert the words "the expense of which work or improvement exceeded \$500."

Same section, line 5, after the word "thereto" insert the words "which said work or improvement was not ordered by a vote of two-thirds of all the members of the common council of said city, after publication in six successive numbers of the official paper, of the intention to order such work or improvement, as provided by section 18 of chapter 9 of the revised city charter of said city;" also, after the word "hereby" insert the words "legalized and."

Same section, line 8, after the word "work" insert the words "and as if said work had been ordered by a vote of two-thirds of all the members of the common council, after;" also, strike out the word "and."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Hitt	McCarren	Savery
Adams	Davidson	Hughes	Mead	Saxton
Ainsworth	Decker	Husted	Mesick	Sheehan
Baker, A. B.	Demarest	Kent	Miley	Sheldon
Bauer	Dunham	Kerrigan	Moffitt	Smith, T.
Blanchfield	Dunlap	Kimball	Moody	Sullivan
Blumenthal	Edwards	King	Murray	Townsend
Brown	Endres	Lane	Newschafer	Treadway
Bush, R. P.	Enz	Larmon	Nixon	Van Gorder
Carson	Flaherty	Little	O'Neil	Walters
Cheney	Gallup	Loder	Pearsall	West
Clark, J.	Gibbs	Longley	Peck	Whipple
Clarke, C. C.	Guenther	Martin	Rice	Yates
Comstock	Haffner	Maynard	Roesch	Yetman
Coon	Hagan	McAdam	Ryan	Young
Cottrell	Haggerty	McCann	Saunders	Youngman
Crosby	Harwood			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 26, 1889.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 59, entitled

"An act to amend section 8 of title 2, and section 7 of title 3 of chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,' and the acts amendatory thereof."

DAVID B. HILL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Haffner	Mase	Roesch
Adams	Curtis	Hagan	McCarren	Ryan
Ainsworth	Davidson	Haggerty	McKenzie	Saunders
Andrus	Decker	Hitt	McMaster	Savery
Aspinall	Demarest	Hughes	Mead	Saxton
Baker, A. B.	Dinkelspiel	Husted	Mesick	Schaaff
Bauer	Dunham	Kelly	Miley	Sheehan
Blake	Dunlap	Kent	Moffitt	Sheldon
Blumenthal	Edwards	Kimball	Moody	Smith, T.
Brown	Endres	King	Murray	Sullivan
Brownell	Enz	Lane	Newschafer	Treadway
Carson	Fish	Larmon	Nixon	Upson
Cheney	Flaherty	Lewis	O'Neil	Van Gorder
Clark, J.	Gibbs	Little	Pearsall	Walters
Clarke, C. C.	Graham	Loder	Peck	West
Comstock	Greene	Longley	Rhodes	Whipple
Coon	Guenther	Martin	Rice	Yates

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. Endres, and by unanimous consent, the same was amended as follows:

Section 1, line 4 (engrossed bill), after the word "Buffalo" insert the words "as amended by chapter 2 of the Laws of 1872."

Section 2, line 2, after the word "Act" insert the words "as amended by chapter 479 of the Laws of 1886."

At the end of section 2 add the words "All actions brought against the city to recover damages for personal injuries caused by negligence, shall be commenced within one year from the time of receiving the injuries."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Haffner	McLaughlin	Saunders
Adams	Cottrell	Haggerty	McMaster	Savery
Ainsworth	Curtis	Hitt	Mead	Saxton

Andrus	Davidson	Hughes	Mesick	Sheldon
Aspinall	Decker	Husted	Miley	Smith, M. A.
Baker, A. B.	Demarest	Kent	Moffit	Smith, T.
Bauer	Dunham	Kerrigan	Moody	Strassburg
Blake	Dunlap	Kimball	Murray	Sullivan
Blumenthal	Edwards	King	Newschafer	Treadway
Brown	Endres	Larmon	Nixon	Van Gorder
Carson	Enz	Lewis	O'Neil	Walters
Cheney	Fish	Loder	Pearsall	West
Clark, J.	Flaherty	Longley	Peck	Whipple
Clarke, C. C.	Gallup	Martin	Rhodes	Yates
Comstock	Greene	McCarren	Roesch	Young
Connelly	Guenther	McKenzie	Ryan	Youngman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,)
ALBANY, April 26, 1889. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 716, entitled "An act to authorize the board of trustees of the village of Peekskill to purchase real estate and erect a building thereon for the use of the fire department of said village, and to issue bonds therefor."

DAVID B. HILL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Hagan	McKenzie	Saunders
Adams	Curtis	Haggerty	McMaster	Saxton
Ainsworth	Dante	Harwood	Mead	Schaaff
Andrus	Davidson	Hitt	Mesick	Sheehan
Aspinall	Decker	Hughes	Miller	Sheldon
Baker, A. B.	Demarest	Husted	Moffitt	Smith, M. A.
Barton	Dinkelspiel	Kent	Moody	Smith, T.
Bauer	Dunham	Kerrigan	Mullaney	Strassburg
Blake	Dunlap	Kimball	Murray	Sullivan
Blanchfield	Edwards	Lane	Newschafer	Van Gorder
Bush, R. P.	Endres	Larmon	Nixon	Walters
Carson	Enz	Lewis	O'Neil	West
Cheney	Fish	Little	Pearsall	Whipple
Clark, J.	Gibbs	Loder	Rhodes	Yates
Clarke, C. C.	Graham	Longley	Rice	Yetman
Comstock	Greene	Mase	Roesch	Young
Coon	Haffner	McCarren	Ryan	Youngman

The vote upon the final passage of said bill having been reconsidered, On motion of Mr. Husted, and by unanimous consent, the same was amended as follows:

Section 3, line 8 (engrossed bill), strike out the words "An act" and insert in place thereof the words "chapter 140 of the Laws of 1850."

Same section, line 10, strike out the words "passed April 20, 1850."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Harwood	McLaughlin	Schaaff
Adams	Dante	Hitt	Mead	Sheehan
Ainsworth	Davidson	Hughes	Mesick	Sheldon
Andrus	Decker	Husted	Miley	Smith, M. A.
Aspinall	Demarest	Kent	Moffitt	Smith, T.
Baker, A. B.	Dunham	Kimball	Moody	Stevens
Baker, A. H.	Dunlap	King	Mullaney	Sullivan
Bauer	Edwards	Lane	Nixon	Tefft
Blanchfield	Endres	Larmon	O'Neil	Treadway
Bush, R. P.	Fish	Lewis	Pearsall	Upson
Carson	Gallup	Little	Peck	Walters
Cheney	Gibbs	Loder	Rhodes	West
Clark, J.	Graham	Longley	Rice	Whipple
Clarke, C. C.	Guenther	Martin	Roesch	Yates
Comstock	Haffner	Mase	Ryan	Young
Coon	Hagan	McCarren	Saunders	Youngman
Cottrell	Haggerty	McKenzie	Saxton	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 26, 1889.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 619, entitled "An act to authorize the repairing of the damage to a public highway leading from the village of Castorland to the bridge over the Black river in the town of Denmark, in the county of Lewis, caused by the overflow of said river, by reason of the State dam thereon, and to so alter said highway as to prevent future damages from said cause, and making an appropriation therefor."

DAVID B. HILL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Hitt	Moffitt	Smith, M. A.
Adams	Davidson	Hughes	Moody	Smith, T.
Ainsworth	Decker	Husted	Mullaney	Stevens
Andrus	Demarest	Kent	Murray	Strassburg
Baker, A. B.	Dinkelspiel	Kimball	Newschafer	Sullivan
Baker, A. H.	Dunham	King	Nixon	Tefft
Bauer	Dunlap	Lane	O'Neil	Treadway •
Blanchfield	Edwards	Larmon	Pearsall	Upson
Brown	Endres	Lewis	Rhodes	Van Gorder
Carson	Fitts	Little	Rice	Walters
Clark, J.	Flaherty	Loder	Roesch	West
Clarke, C. C.	Gibbs	Longley	Ryan	Whipple
Comstock	Graham	Martin	Saunders	Yates
Connelly	Guenther	Maynard	Savery	Yetman
Coon	Haffner	Mead	Saxton	Young
Cottrell	Haggerty	Mesick	Sheldon	Youngman
Crosby	Harwood	Miley		

The vote upon the final passage of said bill having been reconsidered, On motion of Mr. Hughes, and by unanimous consent, the same was amended as follows:

Section 2, line 1, strike out the word "shall" and insert in place thereof the words "is hereby authorized to."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Hitt	Mead	Smith, M. A.
Adams	Curtis	Hughes	Mesick	Smith, T.
Ainsworth	Dante	Husted	Miley	Stevens
Andrus	Davidson	Kent	Moody	Sullivan
Baker, A. B.	Decker	Kimball	Murray	Tefft
Baker, A. H.	Demarest	King	Newschafer	Townsend
Bauer	Dunlap	Lane	O'Neil	Treadway
Blake	Endres	Larmon	Pearsall	Upson
Blanchfield	Enz	Lewis	Rhodes	Van Gorder
Brown	Flaherty	Little	Rice	Walters
Bush, R. P.	Gallup	Longley	Roesch	West
Carson	Gibbs	Martin	Ryan	Whipple

Clark, J.	Groat	Mase	Saunders	Yates
Clarke, C. C.	Haffner	Maynard	Saxton	Yetman
Comstock	Haggerty	McAdam	Schaaff	Youngman
Coon	Harwood	McCarren	Sheldon	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, April 26, 1889. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 661, entitled "An act in relation to summary proceedings to remove monthly tenants in the city of Brooklyn for holding over."

DAVID B. HILL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Haggerty	McCarren	Saunders
Adams	Cottrell	Harwood	McKenzie	Savery
Ainsworth	Curtis	Hayes	Mead	Smith, M. A.
Andrus	Dante	Hitt	Mesick	Smith, T.
Aspinall	Davidson	Hughes	Miley	Stevens
Baker, A. B.	Decker	Husted	Moffitt	Sullivan
Baker, A. H.	Demarest	Kent	Moody	Townsend
Barton	Duffy	Kimball	Mullaney	Treadway
Bauer	Dunlap	Lane	Murray	Van Gorder
Blanchfield	Edwards	Larmon	Newschafer	Walters
Bush, R. P.	Endres	Lewis	Nixon	West
Carson	Flaherty	Little	O'Neil	Whipple
Cheney	Gallup	Loder	Pearsall	Yates
Clark, J.	Gibbs	Longley	Rhodes	Yetman
Clarke, C. C.	Haffner	Martin	Roesch	Young
Comstock	Hagan	McAdam	Ryan	Youngman
Connelly				

The vote upon the final passage of said bill having been reconsidered.

On motion of Mr. Graham, and by unanimous consent the same was amended as follows:

Insert a new section as section 1 of said bill to read as follows:

"SECTION 1. The title of chapter 303 of the Laws of 1882, entitled 'An act in relation to summary proceedings to remove monthly tenants

in the city of New York for holding over," is hereby amended so as to read as follows:

"An act in relation to summary proceedings to remove monthly tenants in the cities of New York and Brooklyn for holding over."

Strike out the words "Section one" at the beginning of the present section one of the engrossed bill, and insert in place thereof the following:

"§ 2. Section one of said act is hereby amended to read as follows:

"§ 1."

In the second line of the present section one of engrossed bill, after the words "city of" insert the words "New York or in the city of."

Strike out the title and insert in place thereof the following:

"An act to amend chapter 303 of the Laws of 1882, entitled 'An act in relation to summary proceedings to remove monthly tenants in the city of New York for holding over.'"

Mr. Speaker put the question whether House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Haggerty	Mead	Saxton
Ainsworth	Curtis	Hitt	Mesick	Sheehan
Andrus	Dante	Hughes	Miley	Smith, M. A.
Baker, A. B.	Davidson	Husted	Moffitt	Smith, T.
Baker, A. H.	Decker	Kimball	Moody	Stevens
Blake	Demarest	Lane	Mullaney	Sullivan
Blumenthal	Dinkelspiel	Larmon	Murray	Tefft
Brown	Dunham	Little	Newschafer	Treadway
Carson	Dunlap	Loder	Nixon	Upson
Cheney	Endres	Longley	Pearsall	Van Gorder
Clark, J.	Enz	Martin	Peck	Walters
Clarke, C. C.	Gallup	Mase	Rice	West
Comstock	Greene	McAdam	Roesch	Whipple
Coon	Groat	McCann	Ryan	Yates
Cottrell	Guenther	McCarren	Saunders	Yetman
Cronin	Haffner	McKenzie	Savery	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein, as amended.

The Senate sent for concurrence the following entitled bills:

"An act further to amend chapter 606 of the Laws of 1875, entitled 'An act further to provide for the construction and operation of a steam railway or railways in the counties of this State'" (Rec. No. 327), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Crosby moved to refer said bill to the committee on railroads, with instruction to report at once.

Mr. Speaker declared said motion out of order.

Mr. Hamilton moved to commit said bill to the committee on railroads, with instruction to report to-morrow morning.

Mr. Gibbs moved to lay said motion upon the table.

Mr. Husted raised the point of order that said bill having been referred to the committee on railroads, the motion was not in order except by unanimous consent.

Mr. Speaker decided the point of order well taken.

Mr. Hamilton appealed from the decision of the chair.

Mr. Husted moved to lay the appeal upon the table.

Mr. Speaker put the question whether the House would agree to said motion to lay the appeal upon the table, and it was determined in the affirmative.

{ AYES 71 }
{ NOES 35 }

Those who voted in the affirmative, were

Acker	Coon	Haggerty	McKenzie	Smith, C.
Adams	Cottrell	Hitt	McMaster	Smith, M. A.
Ainsworth	Crosby	Hughes	Mead	Sperry
Andrus	Curtis	Husted	Mesick	Stevens
Aspinall	Dante	Kimball	Moffitt	Tefft
Baker, A. B.	Davidson	King	Moody	Townsend
Baker, A. H.	Decker	Lane	Nixon	Treadway
Barton	Dunlap	Larmon	Pearsall	Upton
Bauer	Enz	Lewis	Peck	Van Gorder
Brown	Fish	Little	Rhodes	Walters
Brownell	Fitts	Lodier	Saunders	West
Carson	Flaherty	Longley	Savery	Whipple
Cheney	Gibbs	Mase	Saxton	Yates
Clark, J.	Groat	McAdam	Sheldon	Youngman
Comstock				

Those who voted in the negative, were

Blake	Demarest	Haffner	McCann	Ryan
Blanchfield	Dinkelspiel	Hagan	McCarren	Schaff
Blumenthal	Duffy	Hamilton	Miley	Sheehan
Bush, G. H.	Endres	Harwood	Mullaney	Smith, T.
Bush, R. P.	Gallup	Hayes	Newschafer	Strassburg
Clarke, C. C.	Graham	Kert	O'Neil	Sullivan
Connelly	Guenther	Kerrigan	Roesch	Young

"An act to authorize the Board of Claims to hear, audit and determine the claims of Milton Pelton, Willis Edson, O. A. Howe, Geo. P. Basset, James A. Francisco, Phelps Knapp, Daniel Miller, Martin Gillett, Asahel Brainard, Jason Gregory, Willard Fuller, James B. Fuller, Jarvis A. Fuller, Nathan H. Fuller, William Baker, Jr., John Sprague, Chester Fuller and Anson B. Fuller for bounty under chapter 29 of the Laws of 1865, and the several acts amendatory thereof, and to make an award thereon," (Rec. No. 328), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Lewis, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

Mr. M. A. Smith introduced a bill entitled "An act to incorporate the Little Equinunk Bridge Company, and authorizing them to construct a toll-bridge across the Delaware river at Little Equinunk, Wayne county, Pennsylvania, and Fremont, Sullivan county, New York" (Int. No. 1232), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Speaker, and by unanimous consent, said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Curtis	Guenther	McKenzie	Savery
Ainsworth	Davidson	Haffner	McLaughlin	Saxton
Aspinall	Decker	Hagan	McMaster	Sheldon
Baker, A. B.	Demarest	Haggerty	Mead	Smith, C.
Baker, A. H.	Dinkelspiel	Hitt	Mesick	Smith, M. A.
Barton	Dunlap	Hughes	Miley	Sullivan
Blumenthal	Edwards	Husted	Moffitt	Townsend
Brown	Endres	Kimball	Moody	Treadway
Bush, R. P.	Enz	Lewis	Murray	Van Gorder
Carson	Fish	Little	Newschafer	Walters
Cheney	Fitts	Loder	Nixon	West
Clark, J.	Flaherty	Longley	O'Neil	Whipple
Clarke, C. C.	Gallup	Martin	Pearsall	Yates
Connelly	Gibbs	Mase	Rhodes	Yetman
Coon	Graham	Maynard	Roesch	Youngman
Cottrell	Groat	McCarren		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Savery introduced a bill entitled "An act to amend chapter 53 of the Laws of 1879, entitled 'An act to amend the charter of the city Auburn'" (Int. No. 1233), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Savery, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and to be read the third time on Friday, May tenth.

Mr. Hitt introduced a bill entitled "An act to provide for printing, binding and distribution of 10,000 copies of the memorial proceedings of the Legislature on the death of General Philip H. Sheridan, and making an appropriation therefor" (Int. No. 1234), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hitt, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 77 }
{ NOES 2 }

Those who voted in the affirmative, were

Adams	Cottrell	Haggerty	McCann	Ryan
Ainsworth	Curtis	Hitt	McKenzie	Saunders
Aspinall	Davidson	Hornidge	McLaughlin	Saxton
Baker, A. B.	Decker	Hughes	Mead	Schaaff
Baker, A. H.	Demarest	Husted	Mesick	Smith, C.
Bauer	Duffy	Kent	Miller	Smith, T.
Blake	Dunlap	Kerrigan	Moffitt	Sperry
Blanchfield	Edwards	Kimball	Moody	Strassburg
Brownell	Endres	Lane	Mullaney	Townsend
Bush, R. P.	Enz	Little	Murray	Treadway
Carson	Fish	Loder	Nixon	Walters
Cheney	Fitts	Longley	O'Neil	West
Clark, J.	Groat	Martin	Pearsall	Whipple
Clarke, C. C.	Guenther	Mase	Rice	Young
Connelly	Haffner	Maynard	Roesch	Youngman
Coon	Hagan			

Those who voted in the negative, were

Crosby King

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (Rec. No. 48) entitled "An act to amend title 11 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,'" having been announced for a third reading,

On motion of Mr. Aspinall, and by unanimous consent, the same was amended as follows:

Page 2, line 5 (engrossed bill), strike out the word "exceeding" and insert the words "less than." (Restores the words stricken out in committee.)

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 89 }
{ NOES 2 }

Those who voted in the affirmative, were

Adams	Cottrell	Haggerty	McKenzie	Savery
Ainsworth	Cronin	Hamilton	McLaughlin	Schaaff
Andrus	Dante	Harwood	Mead	Sheehan
Aspinall	Davidson	Hitt	Mesick	Sheldon
Baker, A. B.	Demarest	Hornidge	Miley	Smith, C.
Baker, A. H.	Dunham	Hughes	Moffitt	Smith, M. A.
Barton	Dunlap	Husted	Moody	Smith, T.

Bauer	Endres	Kelly	Mullaney	Strassburg
Blake	Fish	Kent	Murray	Sullivan
Blanchfield	Fitts	Kerrigan	Newschafer	Townsend
Brown	Gallup	Larmon	Nixon	Treadway
Brownell	Gibbs	Lewis	O'Neil	Walters
Carson	Graham	Loder	Peck	West
Cheney	Greene	Longley	Rhodes	Whipple
Clark, J.	Groat	Martin	Rice	Yates
Clarke, C. C.	Guenther	Mase	Roesch	Young
Connelly	Haffner	McCann	Ryan	Youngman
Coon	Hagan	McCarren	Saunders	

Those who voted in the negative, were

Crosby Sperry

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1158) entitled "An act to amend chapter 282 of the Laws of 1887, entitled 'An act to further amend chapter 75 of the Laws of 1878, entitled An act in relation to the bonded indebtedness of villages, cities, towns and counties, as amended by chapter 317 of the Laws of 1878, and by chapter 244 of the Laws of 1884,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Groat	Maynard	Saunders
Adams	Cronin	Haffner	McAdam	Savery
Andrus	Crosby	Hagan	McCann	Saxton
Aspinall	Curtis	Haggerty	McCarren	Schaaff
Baker, A. B.	Davidson	Hamilton	McKenzie	Sheldon
Baker, A. H.	Decker	Harwood	McLaughlin	Smith, M. A.
Bauer	Demarest	Hayes	Mesick	Smith, T.
Blanchfield	Dinkelspiel	Husted	Miller	Sullivan
Brown	Dunham	Kelly	Moffitt	Treadway
Brownell	Dunlap	Kent	Moody	Upson
Carson	Endres	Larmon	Murray	Van Gorder
Cheney	Fish	Lewis	Nixon	Walters
Clark, J.	Fitts	Little	O'Neil	West
Clarke, C. C.	Gibbs	Loder	Peck	Whipple
Connelly	Graham	Longley	Rhodes	Young
Coon	Greene	Martin	Ryan	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Husted, and by unanimous consent, the bill (No.

1182) entitled "An act to provide for the appointment of additional notaries public," was ordered read the third time.

Said bill having been announced for a third reading,

Mr. Lewis moved to strike out section 2, and change "§ 3" to "§ 2."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 73 }
{ NOES 9 }

Those who voted in the affirmative, were

Ainsworth	Connelly	Haggerty	McAdam	Sheehan
Andrus	Coon	Hamilton	McCann	Sheldon
Aspinall	Cronin	Hayes	McCarren	Smith, M. A.
Baker, A. B.	Curtis	Hitt	Mead	Smith, T.
Baker, A. H.	Dante	Husted	Moffitt	Stevens
Barton	Davidson	Kelly	Moody	Sullivan
Bauer	Demarest	Kent	Murray	Tefft
Blumenthal	Duffy	Kerrigan	Pearsall	Treadway
Brown	Dunlap	Lane	Peck	Upson
Brownell	Endres	Lewis	Rhodes	Van Gorder
Bush, R. P.	Fish	Little	Roesch	West
Carson	Flaherty	Loder	Saunders	Whipple
Cheney	Gibbs	Longley	Savery	Youngman
Clarke, C. C.	Graham	Martin	Schaaff	Speaker
Comstock	Greene	Maynard		

Those who voted in the negative, were

Acker	Cottrell	Decker	King	Young
Clark, J.	Crosby	Dinkelspiel	Larmon	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 445, entitled "An act to provide for the erection of a State armory at the village of Glens Falls, in the county of Warren, and making an appropriation therefor" (Rec. No. 233), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1217) entitled "An act to amend chapter 313 of the Laws of 1886, entitled 'An act to regulate the practice of veterinary

medicine and surgery in the State of New York,' as amended by chapter 166 of the Laws of 1887," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Haffner	McKenzie	Ryan
Adams	Coon	Hagan	McLaughlin	Savery
Ainsworth	Cottrell	Harwood	Mead	Schaaff
Aspinall	Curtis	Hayes	Mesick	Sheehan
Baker, A. B.	Dante	Husted	Miley	Sheldon
Baker, A. H.	Davidson	Kerrigan	Miller	Smith, T.
Barton	Decker	Larmon	Moffitt	Sperry
Bauer	Demarest	Lewis	Moody	Stevens
Blake	Dinkelspiel	Little	Murray	Treadway
Blanchfield	Duffy	Loder	Newschafer	Upton
Brown	Dunlap	Martin	Nixon	Van Gorder
Brownell	Edwards	Mase	O'Neil	Walters
Carson	Endres	Maynard	Pearsall	West
Cheney	Fitts	McAdam	Rice	Young
Clarke, C. C.	Flaherty	McCann	Roesch	Youngman
Comstock	Greene	McCarren		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Mase offered for the consideration of the House a resolution, the words following :

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 589, entitled "An act to amend section 22 of the Code of Criminal Procedure, relating to the jurisdiction of the courts of oyer and terminer" (Rec. No. 268), and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

On motion of Mr. Husted, and by unanimous consent, the bill (No. 1081) entitled "An act to improve the sanitary condition of the capitol, and making an appropriation therefor," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 75 }
{ NOES 4 }

Those who voted in the affirmative, were

Adams	Dinkelspiel	Kent	Mead	Sheehan
Ainsworth	Duffy	Kerrigan	Mesick	Sheldon
Aspinall	Dunham	Kimball	Miley	Smith, T.

Baker, A. B.	Edwards	Larmon	Moffitt	Sperry
Baker, A. H.	Endres	Lewis	Murray	Strassburg
Bauer	Fish	Little	Newschafer	Sullivan
Blanchfield	Fitts	Loder	Nixon	Tefft
Blumenthal	Gibbs	Longley	O'Neil	Townsend
Clarke, C. C.	Greene	Martin	Pearsall	Treadway
Coon	Haffner	Mase	Rice	Walters
Curtis	Haggerty	Maynard	Roesch	West
Davidson	Harwood	McAdam	Ryan	Whipple
Decker	Hitt	McCann	Saunders	Yates
Demarest	Hornidge	McCarren	Savery	Young
Dinehart	Husted	McLaughlin	Schaaff	Youngman

Those who voted in the negative, were

Acker	Cottrell	McKenzie	Van Gorder
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (Int. No. 1227) entitled "An act to legalize and confirm certain concurrent resolutions for printing, passed by the Legislature of 1889, and certain resolutions passed by the Senate or by the Assembly during the session of said Legislature," having been announced for a third reading,

On motion of Mr. Ainsworth, and by unanimous consent, the same was amended as follows:

Insert at the end of section 1 the words "work under each of the several resolutions having been done by the public printer before the 22d day of April, 1889."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	78	}
{	NOES	2	}

Those who voted in the affirmative, were

Acker	Curtis	Hamilton	McCann	Saxton
Adams	Dante	Hayes	McKenzie	Schaaff
Ainsworth	Davidson	Hornidge	McLaughlin	Sheehan
Andrus	Decker	Husted	Mesick	Sheldon
Aspinall	Demarest	Kent	Miley	Smith, T.
Baker, A. H.	Dinehart	Kerrigan	Miller	Sperry
Barton	Dinkelspiel	Kimball	Moffit	Stevens
Blake	Duffy	Lane	Mullaney	Sullivan
Blanchfield	Dunlap	Larmon	Murray	Tefft
Brownell	Edwards	Lewis	Newschafer	Van Gorder
Bush, R. P.	Endres	Little	O'Neil	Walters
Carson	Fitts	Loder	Rhodes	West
Cheney	Greene	Longley	Rice	Whipple
Clarke, C. C.	Haffner	Martin	Roesch	Yates

Coon	Hagan	Maynard	Saunders	Youngman
Cottrell	Haggerty	McAdam		

Those who voted in the negative, were

Blumenthal Connelly

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 899) entitled "An act to provide for the rehearing of the claim of John Fitzpatrick for extra work done and materials furnished for the State, under the direction of State officials, in the improvement of Fall creek, in Havana, Schuyler county," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Hamilton	McCann	Saxton
Adams	Curtis	Harwood	McKenzie	Schaaff
Ainsworth	Dante	Hayes	McLaughlin	Sheldon
Baker, A. B.	Decker	Hitt	Mead	Smith, T.
Baker, A. H.	Demarest	Hornidge	Mesick	Sperry
Barton	Dinehart	Husted	Moffitt	Sullivan
Bauer	Dinkelspiel	Kelly	Moody	Towne
Blake	Duffy	Kent	Mullaney	Townsend
Blanchfield	Dunham	Kerrigan	Murray	Treadway
Blumenthal	Dunlap	Kimball	Newschafer	Upson
Brownell	Edwards	King	O'Neil	Van Gorder
Bush, R. P.	Enz	Lewis	Pearsall	Walters
Carson	Fitts	Little	Rhodes	West
Cheney	Gibbs	Loder	Roesch	Whipple
Clarke, C. C.	Groat	Martin	Ryan	Yates
Connelly	Guenther	Maynard	Saunders	Youngman
Cottrell	Haffner	McAdam	Savery	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 572) entitled "An act regulating railway appliances to be used on all railway lines within the limits of the State of New York" (Rec. No. 251), having been announced for a third reading,

Mr. Saxton moved to amend as follows:

Section 1, line 5, strike out the word "such."

Same section, lines 5, 6 and 7, strike out the words "as the railroad commissioners may from time to time direct, after hearing of parties interested and examination."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 74 }
{ NOES 16 }

Those who voted in the affirmative, were

Ainsworth	Crosby	Hagan	Mesick	Ryan
Baker, A. H.	Curtis	Haggerty	Miley	Saunders
Barton	Dante	Hamilton	Miller	Savery
Bauer	Demarest	Kelly	Moffitt	Saxton
Blake	Dinkelspiel	Kent	Moody	Schaaff
Blanchfield	Duffy	Kerrigan	Mullaney	Smith, C.
Blumenthal	Dunlap	King	Murray	Smith, T.
Brown	Endres	Lane	Newschafer	Sperry
Bush, G. H.	Fish	Larmon	Nixon	Stevens
Carson	Fitts	Loder	O'Neil	Strassburg
Cheney	Gallup	Martin	Pearsall	Tefft
Clark, C. C.	Graham	Mase	Peck	Upson
Connelly	Greene	McCarren	Rhodes	Yates
Cottrell	Guenther	McKenzie	Rice	Young
Cronin	Haffner	Mead	Roesch	

Those who voted in the negative, were

Adams	Davidson	Edwards	Kimball	McCann
Baker, A. B.	Decker	Gibbs	Longley	Sheldon
Comstock	Dinehart	Hornidge	McAdam	Youngman
Coon				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The Senate bill (No. 685) entitled "An act to provide for the construction of sewers in any incorporated village of this State" (Rec. No. 323), having been announced for a third reading,

Mr. Young moved to amend by adding at the end of section 13 the words "the county of Schoharie is hereby exempted from the provisions of this act."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Hagan	Mead	Saunders
Ainsworth	Crosby	Haggerty	Miley	Savery
Aspinall	Decker	Hamilton	Miller	Saxton

Baker, A. B.	Demarest	Harwood	Moffitt	Schaaff
Baker, A. H.	Dinehart	Hayes	Moody	Sheehan
Barton	Dinkelspiel	Hitt	Mullaney	Sheldon
Bauer	Dunlap	Kent	Murray	Stevens
Blanchfield	Edwards	Kerrigan	Newschafer	Strassburg
Blumenthal	Endres	Lane	O'Neil	Sullivan
Brown	Fish	Larmon	Pearsall	Towne
Brownell	Fitts	Lewis	Peck	Van Gorder
Carson	Flaherty	Mase	Rhodes	Whipple
Cheney	Gallup	McAdam	Rice	Yates
Clarke, C. C.	Graham	McCann	Roesch	Yetman
Comstock	Guenther	McCarren	Ryan	Youngman
Connelly	Haffner	McKenzie		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bil (No. 415), entitled "An act to amend chapter 311 of the Laws of 1859, entitled 'An act to provide for the inspection and sealing of gas meters, and for the protection of consumers of illuminating gas'" (Rec. No. 195), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Cottrell	Husted	Mead	Schaaff
Ainsworth	Cronin	Kent	Miley	Sheehan
Aspinall	Davidson	Kerrigan	Miller	Sheldon
Baker, A. B.	Decker	King	Moffitt	Smith, T.
Bauer	Dinkelspiel	Lane	Murray	Sperry
Blake	Dunlap	Larmon	Newschafer	Stevens
Blanchfield	Edwards	Lewis	Nixon	Strassburg
Brown	Endres	Little	O'Neil	Treadway
Bush, R. P.	Fitts	Loder	Pearsall	Van Gorder
Carson	Gallup	Longley	Peck	West
Cheney	Haffner	Mase	Rhodes	Whipple
Clark, J.	Hagan	Maynard	Rice	Yates
Clarke, C. C.	Hamilton	McAdam	Roesch	Yetman
Comstock	Harwood	McCann	Ryan	Young
Connelly	Hayes	McCarren	Saunders	Youngman
Coon	Hitt	McKenzie	Savery	

For the negative,

Dinehart

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 878) entitled "An act to amend sections 86 and 89 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into

one act and to declare the special and local laws affecting public interests in the city of New York,' in relation to the licensing of scalpers in coal freights," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 68 }
{ NOES 29 }

Those who voted in the affirmative, were

Andrus	Coon	Haffner	McCarren	Sheehan
Baker, A. B.	Cottrell	Hagan	McLaughlin	Smith, C.
Baker, A. H.	Cronin	Haggerty	Miley	Smith, T.
Bauer	Dante	Harwood	Miller	Stevens
Blake	Demarest	Hayes	Mullaney	Strassburg
Blanchfield	Dinkelspiel	Hitt	Murray	Sullivan
Blumenthal	Duffy	Hornidge	Newschafer	Tefft
Brownell	Dunlap	Kelly	O'Neil	Towne
Bush, G. H.	Endres	Kent	Rice	Townsend
Bush, R. P.	Fish	Kerrigan	Roesch	Upson
Carson	Gibbs	Larmon	Ryan	Whipple
Clarke, C. C.	Graham	Longley	Savery	Yetman
Comstock	Greene	Martin	Schaaff	Young
Connelly	Groat	McCann		

Those who voted in the negative, were

Acker	Decker	Kimball	McKenzie	Saunders
Ainsworth	Dinehart	King	Mead	Sheldon
Clark, J.	Edwards	Lane	Moffitt	Sperry
Crosby	Fitts	Little	Moody	Van Gorder
Curtis	Hamilton	Loder	Pearsall	Youngman
Davidson	Husted	Maynard	Peck	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations" (No. 1027), with a message that they have concurred in the passage of the same, with the following amendments:

Page 2, line 3, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 9, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 16, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 20, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 22, strike out the words "one thousand eight" and insert the word "eighteen."

Page 3, line 10, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 15, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, after line 18, insert the following:

"For the Comptroller, to enable him to make restitution to Joel W. Sherwood and Robert J. Miller, as executors of the last will and testament of Hannah Euston, deceased, of the sum of forty thousand and sixty-eight dollars and twenty cents paid by them into the treasury, April twenty-sixth, eighteen hundred and eighty-seven, for collateral inheritance tax, under compulsion of a decree of the surrogate's court of Kings county, dated April twenty-fifth, eighteen hundred and eighty-seven, which decree was reversed on appeal by the Court of Appeals, April sixteenth, eighteen hundred and eighty-nine, and which restitution has been duly ordered by the said surrogate's court, by order dated May third, eighteen hundred and eighty-nine, the sum of forty-five thousand two hundred and fifty dollars, or so much thereof as may be necessary to pay the said sum of forty thousand and sixty-eight dollars and twenty cents, and interest thereon to the date of such restitution.

"For deficiency in appropriations for assessments and other expenses of the public lands for the fiscal year ending September thirtieth, eighteen hundred and eighty-nine, one thousand dollars, or so much thereof as may be necessary.

"For the Comptroller, for the repayment of moneys illegally assessed upon and by manufacturing corporations paid into the treasury under the provisions of chapter five hundred and forty-two of the Laws of the eighteen hundred and eighty, and the acts amendatory thereof, the sum of five thousand dollars, or so much thereof as may be necessary."

Same page, line 35, strike out the words "in the year one thousand eight," and insert the words "pursuant to resolution of the Assembly, passed January twenty-fourth, eighteen."

Page 4, line 1, after the word "of," insert the words "bills to be audited by him for the services of."

Same page, line 4, strike out the words "as per," and insert the words "pursuant to,"

Same page, lines 5 and 6, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, after line 7, insert the following:

"For the Comptroller, for the payment of bills to be audited by him for services and disbursements of William S. Carpenter as stenographer to the special committee of the Senate appointed under resolution of the Senate passed April eleventh, eighteen hundred and eighty-eight, to investigate certain alleged abuses in the city of New York, the sum of three thousand nine hundred and sixty-eight dollars and forty cents, or so much thereof as may be necessary payable to the assignee of said Carpenter,

"For the Comptroller, for the payment of bills to be audited by him for the services of William Loeb, Jr., as stenographer to the Senate committee on finance in preparation of its report in regard to obstructions in the Hudson river, the sum of thirty-seven dollars."

Same page, line 9, strike out the word "section" and insert the words "sections three hundred and twenty-two and."

Same page, line 11, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 15, before the word "prison" insert the word "State," and change the word "prison" to "prisons," and "asylums" to "asylum."

Same page, line 16, after the word "penitentiaries" insert the words "State industrial school," and change the word "house" to "houses."

Same page, after line 17, insert the following:

"For reimbursing the county of Monroe for amount refunded by it, upon the order of the Supreme Court of this State, to counties in the seventh judicial district, which had been paid by said counties for maintenance of tramps in the Monroe county penitentiary, the sum of one thousand dollars, or so much thereof as may be necessary.

"For deficiency in appropriations for the maintenance of convicts sentenced to penitentiaries in pursuance of chapter one hundred and fifty-eight of the Laws of eighteen hundred and fifty-six, chapter five hundred and eighty-four of the Laws of eighteen hundred and sixty-five, chapter six hundred and sixty-seven of the Laws of eighteen hundred and sixty-six, chapter five hundred and seventy-four of the Laws of eighteen hundred and sixty-nine, chapter two hundred and forty-seven of the Laws of eighteen hundred and seventy-four, chapter five hundred and seventy-one of the Laws of eighteen hundred and seventy-five, and chapter four hundred and ninety of the Laws of eighteen hundred and eighty-five, ten thousand dollars, or so much thereof as may be necessary.

"For the Comptroller for payment of compensation and expenses of counsel employed by the Comptroller or Attorney-General in legal actions or proceedings, five thousand dollars, or so much thereof as may be necessary."

Same page, after line 22, insert the following:

"For the Commissioner of the New Capitol, for salary to the close of the current fiscal year, the sum of seven thousand five hundred dollars."

Same page, line 25, strike out the word "Stafford" and insert the word "Stanford."

Same page, line 27, after the word "staircase" insert the words "pursuant to resolution of the Assembly, passed January twenty-two, eighteen hundred and eighty-nine."

Same page, line 33, strike out the word "July" and insert the word "January."

Same page, lines 33 and 34, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, lines 35 and 36, strike out the words "which sum is in full for all such service."

Page 5, line 2, strike out the words "to pay" and insert the words "for services and disbursements of."

Same page, lines 2 and 3, strike out the words "for attorney's services and expenses" and insert the words "as attorney."

Same page, line 5, strike out the words "in the year one thousand eight" and insert the words "pursuant to resolution of the Senate, passed April twentieth, eighteen."

Same page, line 6, strike out the words "and seventy-two."

Same page, after line 6, insert the following:

"For the Comptroller, for the payment of bills to be audited by him, for expenses incurred by the Senate committee on public health of eighteen hundred and eighty-six, for fees of counsel in the investigation of charges against the State Dairy Commissioner, pursuant to resolution of the Senate, passed April twentieth, eighteen hundred and eighty-six, the sum of six hundred and twenty dollars, or so much thereof as may be necessary."

Same page, line 8, strike out the word "assist."

Same page, lines 11 and 12, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 12, strike out the word "two" and insert the word "three."

Same page, line 17, after the word "deputies" insert the words "pursuant to Senate resolution, March thirtieth, eighteen hundred and eighty-eight."

Same page, strike out lines 19, 20, 21 and 22.

Same page, lines 27 and 28, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 34, after the word "committee" insert the word "appointed."

Same page, line 36, after the word "strike" insert the words "pursuant to resolution passed January twenty-fourth, eighteen hundred and eighty-seven."

Page 6, after line 2, insert the following:

"For the Comptroller, for the payment of bills to be audited by him, for services and disbursement of Julien T. Davies as counsel to the Senate committee on taxation and retrenchment, in revising the compilation of constitutional provisions, statutes and cases relating to the assessment of taxes, and in adding thereto abstracts of cases cited, pursuant to resolution of the Senate, passed February third, eighteen hundred and eighty-eight, the sum of seven thousand dollars, or so much thereof as may be necessary.

"For the Comptroller, for the payment of bills to be audited by him, for services and disbursements of George Bliss as counsel to the committee of the Senate on general laws in its investigation of trusts, from February twentieth to December thirteenth, eighteen hundred and eighty-eight, pursuant to resolution of the Senate, passed February sixteenth and February twenty-ninth, eighteen hundred and eighty-eight, the sum of four thousand dollars and seventy-nine cents, or so much thereof as may be necessary.

"For the Comptroller, for the payment of bills to be audited by him, for balance due for services and disbursements of Roger A. Pryor as counsel to the committee of the Senate on general laws in its investigation of trusts, pursuant to resolution of the Senate, passed February sixteenth and February twenty-ninth, eighteen hundred and eighty-eight, the sum of one thousand dollars, or so much thereof as may be necessary.

"For the Comptroller, for the payment of bills to be audited by him, for the services and disbursements of Roger A. Pryor, as counsel for the Attorney-General in a suit in which the people of the State of New York were plaintiffs and the North River Sugar Refinery Com-

pany was defendant, the sum of thirty-five hundred and twenty-five dollars, or so much thereof as may be necessary.

"For the Comptroller, for the payment of bills to be audited by him, for the services and disbursements of Benjamin F. Tracy, A. B. Boardman and Delancey Nicoll, as counsel to the special committee of the Senate appointed pursuant to resolution of the Senate, passed April eleventh, eighteen hundred and eighty-eight, to investigate the public service in the city of New York and other matters mentioned in the preamble to such resolution, the sum of twenty-seven thousand three hundred and forty-two dollars and ten cents; for the services of Donald Downie and D. Moynahan, as stenographers to said committee, the sum of five hundred and eight dollars and fifty cents; for services and expenses of Henry M. Tate and William J. Best, employed by said committee as experts, six thousand and eighty-two dollars and thirteen cents, and for the traveling and incidental expenses and disbursements of said committee, two thousand five hundred dollars.

"For the Comptroller, for the payment of bills to be audited by him, for services and disbursements of Francis R. Gilbert, as counsel to the committee of the Senate on general laws, in its investigation of trusts, pursuant to resolution of the Senate passed February sixteenth and February twenty-ninth, eighteen hundred and eighty-eight, the sum of one thousand dollars, or so much thereof as may be necessary.

"For the Comptroller, for the payment of bills to be audited by him, for printing, by order of the Senate committee on railroads of eighteen hundred and eighty-six, four thousand copies of the report of said committee appointed by resolution of the Senate, January twenty-seventh, eighteen hundred and eighty-six, to investigate the affairs of the Broadway surface railroad, the sum of six hundred and seventy-eight dollars and fifty cents.

"For the Comptroller, for the payment of bills to be audited by him, for services of James K. Apgar, as stenographer to the special committee appointed by resolution of the Assembly passed May eleventh, eighteen hundred and eighty-eight, to prepare a system of rules for the Assembly and to methodize and improve the manner of making laws, the sum of seven hundred and fifty dollars, or so much thereof as may be necessary.

"For the Comptroller, for balance of payment for services and disbursements of the stenographer, to the referee appointed by the Governor to investigate the charges against the excise commissioners of the city of New York, in eighteen hundred and eighty-six, the sum of two hundred and nineteen dollars, or as much thereof as may be necessary.

"For the Comptroller, for compensation to Jennie Turner for her services as stenographer to the committee on taxation and retrenchment, in the matter of the investigation of Bloomingdale Asylum, by resolution of the Senate adopted March the ninth, eighteen hundred and eighty-eight, five hundred dollars, or so much thereof as may be necessary."

Same page, line 7, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, lines 8 and 9, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 10, after the word "dollars" insert the words "and forty-six cents."

Same page, after line 11, insert the following:

"For Hon. Phillip T. Cronin, for legal and other expenses incurred by him in the matter of the contested election for member of Assembly in the Second Assembly District of Queens county, for the year eighteen hundred and eighty-nine, the sum of sixteen hundred and twenty dollars.

"For the Commissioners of the Land Office for maps, to be made under the direction of the State Engineer and Surveyor, showing the State lands in the Onondaga Salt Springs Reservation, heretofore patented or now owned by the State, with the lots, blocks and subdivisions of the lands in said reservation, twelve hundred dollars, or so much thereof as may be necessary.

Page 7, line 1, strike out the words "for the superintendent of."

Same page, lines 5 and 6, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, strike out lines 8 to 13, both inclusive.

Same page, line 20, strike out the words "last year" and insert the words "by chapter two hundred and seventy of the laws of eighteen hundred and eighty-eight."

Same page, line 21, after the word "dollars" add the following:

"But in no part of this appropriation, except for necessary inspection and engineering, shall be expended until a contract shall have been executed, with sufficient sureties, by the lowest responsible bidder or bidders, after suitable advertisement, for the completion of the work as contemplated, within the limits of this appropriation and that made therefor in said chapter two hundred and seventy."

Same page, line 24, strike out the words "is hereby appropriated ; but no part of this appropriation, except for necessary inspection and engineering, shall be expended, until a contract shall have been executed, with sufficient sureties, by the lowest responsible bidder or bidders, after suitable advertisement, for the completion of the work as contemplated, within the limits of this appropriation and that made in chapter four hundred and thirty-four of the laws of eighteen hundred and eighty-eight."

Page 8, make a separate paragraph of the item from and including the word "For" in line 3, down to and including line 6, and strike out the letter "h" in the word "Alleghany" in line 4.

Same page, line 14, strike out the words "purpose of" and insert the words "Superintendent of Public Works for."

Same page, line 20, after the word "dollars" insert the words "But no part of this appropriation, except for necessary inspection and engineering, shall be expended until a contract shall have been executed, with sufficient sureties, by the lowest responsible bidder or bidders, after suitable advertisement, for the completion of the work as contemplated, within the limits of this appropriation."

Same page, line 21, after the word "For" insert the words "the Superintendent of Public Works for."

Same page, line 23, after the word "dollars" add the following:

"But no part of this appropriation, except for necessary inspection and engineering, shall be expended until a contract shall have been executed, with sufficient sureties, by the lowest responsible bidder or bidders, after suitable advertisement, for the completion of the work as contemplated, within the limits of this appropriation."

Same page, line 24, after the word "For" insert the words "the Superintendent of Public Works for."

Same page, after line 29, insert the following:

"For the Superintendent of Public Works, for completing and increasing the capacity of Stillwater reservoir on Beaver river, constructed pursuant to chapter three hundred and thirty-six of the Laws of eighteen hundred and eighty-one, chapter three hundred and sixty-two of the Laws of eighteen hundred and eighty-two, chapter five hundred and fifty-one of the Laws of eighteen hundred and eighty-four, and chapter three hundred and thirty of the Laws of eighteen hundred and eighty-six, by raising the dam not less than eight feet, in accordance with the recommendation of the State Engineer and Surveyor, as contained in Senate document No. 29 of eighteen hundred and eighty-nine, so as to restore, as far as practicable, to the Black river, the amount of water diverted from it for the use of the State canals, the sum of twenty-five thousand dollars, or so much thereof as may be necessary; the work to be done under the direction of the Superintendent of Public Works, according to plans and specifications prepared or to be prepared by the State Engineer and Surveyor.

"For raising and widening the abutments of the State bridge over the Erie canal in the city of Syracuse where the canal crosses West Genesee street, the sum of fifteen hundred dollars, or so much thereof as may be necessary."

Same page, strike out lines 30 to 36, both inclusive, and insert the following:

"For the Superintendent of Public Works, for completing work in dredging Crooked Lake outlet, authorized by chapter two hundred and thirty-four of the Laws of eighteen hundred and eighty-seven, and chapters two hundred and six and three hundred and eighty-nine of the Laws of eighteen hundred and eighty-eight, the sum of nine hundred and thirty dollars, or so much thereof as may be necessary.

"For the Superintendent of Public Works, for deficiency in appropriation for exchanging the iron highway bridge crossing the outlet of Crooked Lake in the village of Penn Yan, for another iron bridge to span the entire outlet, authorized by chapter three hundred and eighty-nine of the Laws of eighteen hundred and eighty-eight, four hundred and eighty-two dollars."

Page 9, line 10, strike out the words "as per" and insert the words "in accordance with."

Same page, line 18, strike out the words "as per," and insert the words "in accordance with."

Same page, line 20, strike out the word "and" and make a separate paragraph of the item from and including the word "for," in line 20, down to and including line 23.

Same page, after line 23, insert the following:

"For the Superintendent of Public Works, for constructing and repairing the road crossings on the abandoned Oneida lake canal, the sum of twelve hundred dollars, or so much thereof as may be necessary.

"For the Commissioner of Fisheries, for necessary repairs of the State road from the east line of the town of Forestport, Oneida county, to Woodhull, in Herkimer county, five hundred dollars, or so much thereof as may be necessary; and for necessary repairs of the road from No. 4, in Lewis county, to the Stillwater reservoir, five hundred dollars, or so much thereof as may be necessary."

Same page, line 28, after the word "dollars" insert the words "to be expended under the direction of the Superintendent of State Prisons."

Same page, line 30, strike out the words "for lighting the same."

Same page, lines 31 and 32, strike out the words "both above items."

Same page, lines 32 and 33, strike out the words "by the agent and warden of Auburn prison."

Page 10, line 1, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 3, change the word "render" to "rendered."

Same page, line 6, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 11, strike out the word "insane."

Same page, line 13, strike out the word "expenditures" and insert the word "appropriations."

Same page, line 17, add the words "and for the purchase of two hundred acres of land for said asylum, forty thousand dollars."

Same page, line 18, after the word "insane" insert the words "to be expended under the direction of the local board of managers."

Same page, line 19, after the word "in" insert the words "appropriations for," and after the word "for" insert the word "the."

Same page, line 31, make separate paragraph of the item beginning with the word "for" down to and including end of item.

Same page, line 35, after the word "plans" insert the word "and," and before the word "contract" insert the words "upon the execution of a."

Same page, line 36, strike out the word "work" and insert the word "same."

Page 11, line 1, strike out the words "and the purchase of materials."

Same page, line 2, strike out the word "the" and insert the word "this."

Same page, line 3, after the word "insane" insert the words "to be expended under the direction of the local board of managers."

Same page, line 6, after the word "fixtures" insert the words "for electric lighting," and strike out the words "twenty thousand dollars" and insert the words "twenty-seven thousand two hundred and seventeen dollars and forty-eight cents."

Same page, line 8, before the word "pulleys" insert the word "with."

Same page, line 9, change "bakery" to "baker."

Same page, lines 10 and 11, strike out the word "completing" and insert the words "work on front."

Same page, line 14, strike out the word "two" and insert the word "three," and strike out the word "five" and insert the word "six."

Same page, line 16, strike out the letter "a" and change "bill" to "bills."

Same page, line 19, after the word "asylum" insert the words "for the insane, at Middletown."

Same page, line 27, strike out the word "Otis."

Same page, line 28, after the word "dollars" insert the word "and."

Same page, line 30, strike out the words "New York" and insert after the word "idiots" the words "to be expended under the direction of the local board of managers."

Page 12, line 6, after the word "dollars" insert the word "and."

Same page, line 17, after the word "dollars" insert the word "and."

Same page, lines 31 and 32, strike out the words "for managers' expenses, two thousand dollars."

Same page, line 36, after the word "buildings" insert the words "for the accommodation of fifteen hundred patients."

Same page, line 10, after the word "women" insert the words "at Newark."

Same page, line 11, after the word "dollars" add the following:

"To be expended under the direction of the local board of managers, upon the execution of a contract, with sufficient sureties, by the lowest responsible bidder or bidders, after suitable advertisement for the completion of the work and the purchase of materials, within the limits of this appropriation."

Page 13, line 1, strike out the word "price" and insert the word "cost," and strike out the word "the" (second occurring).

Same page, lines 1 and 2, strike out the words "connected with said asylum grounds."

Same page, lines 3 and 4, strike out the words "are sufficient for the accommodation of one thousand five hundred patients and."

Same page, line 8, after the word "capita" add the words "and for manager's expenses, two thousand dollars."

Page 14, line 1, before the word "asylum" insert the word "State."

Same page, line 2, strike out the words "board of managers" and insert the words "commissioners appointed by chapter one hundred and ninety-two of the Laws of eighteen hundred and eighty-six."

Same page, line 5, strike out the word "brick."

Same page, line 8, after the word "dollars" insert the following:

"But no part of this appropriation shall be expended unless in the opinion of the chairman of said commissioners, to be filed in the office of the Comptroller, the materials can be purchased, and the work can and will be completed as contemplated, within the limits of this appropriation."

Same page, line 9, after the word "insane" insert the words "to be expended under the direction of the local board of managers."

Same page, line 13, after the word "dollars" insert the word "and."

Same page, line 19, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 21, after the word "dollars" insert the following:

"But no part of this appropriation shall be expended until a contract shall have been executed, with sufficient sureties, by the lowest responsible bidder or bidders after suitable advertisement, for the

completion of the work, and the purchase of the materials as contemplated, within the limits of this appropriation."

Same page, line 24, after the word "in" insert the words "appropriation for."

Same page, line 26, after the word "dollars" insert the following:

"But no part of this appropriation shall be expended until a contract shall have been executed with sufficient sureties, by the lowest responsible bidder or bidders, after suitable advertisement, for the completion of the work, and the purchase of the materials as contemplated, within the limits of this appropriation."

Same page, line 27, after the word "dollars" (first occurring) insert the word "and."

Page 15, lines 2 and 3, strike out the words "for electric wiring of detached group number one."

Same page, line 10, strike out the words "to be" and insert the words "the same shall be done."

Same page, line 14, before the word "State" insert the word "Buffalo," and strike out the words "at Buffalo" and insert the words "to be expended under the direction of the local board of managers."

Same page, line 17, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 34, strike out the words "New York."

Page 16, after line 1, insert the following:

"For deficiency in appropriation for the State reformatory at Elmira, for maintenance and ordinary repairs, and for the purchase of material, and for the expenses of manufacturing, to the close of the current fiscal year, the sum of fifty thousand dollars."

Same page, line 3, after the word "sewerage" insert the words "upon plans to be approved by the State Engineer and Surveyor."

Same page, after line 3, insert the following:

"For the House of Refuge for Women, at Hudson, to be expended under the direction of the local board of managers, for the erection of an additional building for refractory prisoners, for school-rooms, laundry and sewing-room, in accordance with plans and specifications and estimate prepared by the Commissioner of the New Capitol, the sum of twenty-six thousand dollars; for construction of area walls around administration building and cottages, upon like plans, specifications and estimates, the sum of four thousand dollars; and for purchase of school furniture, books and apparatus, the sum of one thousand dollars.

"The balance remaining in the treasury unexpended of the sum of sixty thousand dollars appropriated in chapter four hundred and sixty of the Laws of eighteen hundred and eighty-seven, for the House of Refuge for Women, at Hudson, 'for compensation of officers and employés, for maintenance of the institution, and for transportation of convicts,' to the close of the last fiscal year, is hereby reappropriated for like purposes to the close of the current fiscal year.

"For the State Asylum for Insane Criminals, for the purchase of farm stock and implements, for fruit trees, repairs to farm-house, fencing, grading, drainage and other farm improvements on the land purchased for the use of the State Asylum for Insane Criminals at Matteawan, the sum of ten thousand dollars, to be expended under the direction of the Superintendent of State Prisons."

Same page, line 4, before the word "session" insert the word "the."

Same page, line 5, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 6, strike out the word "their" and insert the word "the."

Same page, line 8, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, after line 11, insert the words "for the maintenance of the State Agency for Discharged Convicts, pursuant to chapter four hundred and twenty-four of the Laws of eighteen hundred and seventy-seven, five thousand dollars; and for the State agent, for salary, two thousand five hundred dollars."

Same page, after line 24, insert the words "but no part of this appropriation shall be expended until the Comptroller shall certify in writing to be filed in his office that the price agreed upon for said land is reasonable, and that the purchase and all contemplated improvements of said land will not cost more than the sum herein appropriated."

Same page, line 25, after the word "soldiers" insert the word "sailors."

Same page, after line 29 insert the words "But no part of this appropriation shall be expended until a contract shall have been executed, with sufficient sureties, by the lowest responsible bidder or bidders, after suitable advertisement, for the completion of the work and the purchase of the materials, as contemplated, within the limits of this appropriation."

Insert after line 580, as amended, the following:

"For iron pipe, hydrants, hose, two stone reservoirs and necessary grading for water supply at Clinton Prison the sum of fifteen hundred dollars or so much thereof as may be necessary to be expended under the direction of the State Engineer and Surveyor and to be certified by the Superintendent of State Prisons.

"The balance remaining in the treasury unexpended of the sum of twenty thousand dollars, appropriated by chapter four hundred and sixty of the Laws of eighteen hundred and eighty-seven, for completing the wall along a portion of the bounds of the inclosure of the yard at Clinton Prison, being the sum of three thousand nine hundred and one dollars, is hereby reappropriated for the same purpose.

"For supplying the Deaf-Mutes' Journal to the indigent deaf and dumb persons in this State, the sum of six hundred and fifty dollars."

Same page, line 35, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 36, strike out the words "necessarily incurred in" and insert the word "of," and after the word "surveying" insert the words "and monumenting."

Page 17, line 1, after the word "dollars" insert the word "and."

Same page, line 5, strike out the word "contingent," and insert the word "and" before the word "for."

Same page, line 8, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, lines 12 and 13, strike out the words "one thousand eight" and insert the words "eighteen."

Same page, lines 13 and 14, strike out the words "seventy-five" and insert the word "fifty."

Same page, line 18, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 20, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 24, strike out the words "one thousand eight" and insert the word "eighteen."

Page 18, after line 2, insert the following:

"For the Adjutant-General, for painting and repairs of the State armory at Oswego, and grading grounds adjacent thereto, six thousand dollars.

"For the Adjutant-General, for painting and repairs of the State armory at Syracuse, five thousand dollars; and for repair and removal of walks in the park of said armory, fifteen hundred dollars."

Same page, strike out lines 8, 9 and 10.

Same page, line 14, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 19, strike out the words "and audited by the Comptroller, of Joseph Metz."

Same page, line 20, strike out the words "done" and "materials furnished" and insert the words "materials for."

Same page, line 23, after the word "for" insert the words "for the Adjutant-General."

Same page, line 24, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 26, strike out all after the word "necessary" down to and including line 30, and insert the words "the bills therefor to be audited by the Adjutant-General."

Same page, after line 30, insert the following:

"For the repairs of arsenals and armories belonging to the State, ten thousand dollars, or so much thereof as may be necessary, to be paid on the certificate of the Adjutant-General and the approval of the Governor as commander-in-chief."

Page 19, line 2, strike out the words "five hundred."

Same page, after line 3, insert the following:

"For the library of the Court of Appeals at Rochester, for the purchase of books, to be paid on bills therefor, certified by a majority of the justices of the Supreme Court in the Seventh judicial district, one thousand dollars.

"For the purchase of books for the State law library at Syracuse, to be paid on bills therefor certified by a majority of the justices of the Supreme Court in the Fifth judicial district, one thousand dollars."

Same page, strike out lines 4 and 5 and insert the following :

"For a law library of the judges of the Court of Appeals, for the purchase of law books, five hundred dollars, to be paid on bills therefor, certified by the judge having such library in charge."

Same page, line 6, after the word "Newburgh" insert the words "in the Second judicial district."

Same page, line 8, strike out the words "fifteen hundred" and insert the words "one thousand."

Same page, line 15, strike out the word "seventeen" and insert the word "seven."

Same page, line 16, after the word "cents" insert the following:

"For the preparation, printing and binding of five hundred copies of the reports of the decisions of the Commissioners of Claims since the organization of the board to the present time, in one volume, under the direction of the clerk of said commissioners, the sum of two thousand dollars, or so much thereof as may be necessary; said reports shall be prepared in form like that of the reports of decisions of the Supreme Court of this State, and shall be distributed as follows, viz.: Two copies to each member of the Legislature, one copy to each State department, one copy to each of the Commissioners of Claims and judges of the Court of Appeals, two copies to each legislative library, and to each judicial district library, one copy to each of the libraries of the Court of Appeals, two copies to the library of the Commissioners of Claims, one hundred copies to the trustees of the State library for exchanges, and the remainder in the discretion of the clerk of said commissioners."

Same page, line 19, after the word "dollars" insert the words "and the State Engineer and Surveyor is hereby authorized to make such surveys and maps, and to set such monuments as may be requested of him by the said commissioners."

Same page, line 21, after the word "in" insert the words "appropriations for."

Same page, line 22, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 28, strike out the word "for" and insert the word "in."

Same page, line 29, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 30, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 35, strike out the words "appointing and."

Page 20, lines 7 and 8, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 13, strike out the words "the order for the purchase thereof to be approved by the Comptroller."

Same page, after line 14, insert the following:

"For furnishing for the use of the Assembly committee on the judiciary eleven copies each of the Penal Code, the Criminal Code and Code of Civil Procedure; one set of Revised Statutes, last edition; two copies of the Rules of Practice, and one set of the Table of Statutes of this State prepared by Clarence F. Birdseye, pursuant to resolution of the Assembly, passed January thirty-first, eighteen hundred and eighty-nine, one hundred and sixty-one dollars.

"For furnishing to the Senate library, two sets Revised Statutes, five volumes New York Reports, one copy Abbott's New York Digest for eighteen hundred and eighty-eight, nine copies Throop's Civil Code and nine copies Criminal and Penal Code, pursuant to resolution of the Senate, passed January twenty-fifth, eighteen hundred and eighty-nine, the sum of one hundred and seventy-eight dollars and fifty cents.

"For the Clerk of the Senate, to pay for services of the superintend-

ent designated by him to have charge of the wrapping department of the Senate, pursuant to resolutions of the Senate, passed March twenty-ninth, eighteen hundred and eighty-eight, and January seventeenth, eighteen hundred and eighty-nine, the sum of seven hundred and fifty dollars, or so much thereof as may be necessary.

"For the Clerk of the Senate, for necessary services of additional clerical aid at his desk, the sum of nine hundred dollars.

"For printing five thousand extra copies of the report of the annual meeting of the New York State Dairyman's Association, as provided by resolution of the Assembly, passed March twenty-eighth, eighteen hundred and eighty-nine, the sum of thirteen hundred dollars, or so much thereof as may be necessary, to be paid by the Comptroller upon the certificates of the secretary of said association."

Same page, line 15, before the word "State" insert the word "the."

Same page, line 19, strike out the word "four" and insert the word "six."

Same page, lines 22 and 23, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 26, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, after line 27, insert the following:

"The balance remaining in the treasury of the sum of twenty thousand dollars, appropriated by chapter two hundred and sixty-eight of the Laws of eighteen hundred and eighty-seven, for the purpose of carrying out the provisions of chapter one hundred and thirty-four of the Laws of eighteen hundred and seventy-eight, and of chapter four hundred and eighteen of the Laws of eighteen hundred and eighty-four, entitled respectively, 'An act in relation to infectious and contagious diseases of animals,' being the sum of sixteen thousand five hundred and sixty dollars and eighty-five cents, is hereby reappropriated for the same purpose."

Same page, lines 29 and 30, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 31, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, lines 35 and 36, strike out the words "one thousand eight" and insert the word "eighteen."

Page 21, lines 8 and 9, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, strike out lines 16 to 20, both inclusive.

Same page, line 21, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 27, strike out the word "fifty-two" and insert the word "forty-seven."

Same page, line 28, strike out the word "experimental" and insert the word "experiment."

Same page, lines 28 and 29, strike out the words "deficiency in maintenance" and insert the words "reimbursing the maintenance fund for moneys expended in repairing buildings, and making other necessary improvements."

Same page, lines 29, 30 and 31, strike out the words "for contingent fund, general improvements and betterments, twenty thousand

dollars " and insert the words " and for bulletins, services of an herdsman and assistant, poultryman and clerical assistant, library, farm and scientific implements, farm improvements, microscopical and clerical division, manure platform, poultry-house division and piggery, the sum of ten thousand eight hundred and sixty dollars."

Same page, after line 31, insert the following:

"For the board of electrical control in and for the city of New York, for services and expenses of the commissioners thereof, from the first day of April, eighteen hundred and eighty-nine, to the close of the current fiscal year, the sum of fifteen thousand dollars; and for like services and expenses for the fiscal year ending September thirtieth, eighteen hundred and ninety, the sum of thirty thousand dollars, or so much thereof as may be necessary; and for deficiency in appropriations for like services and expenses to April first, eighteen hundred and eighty-nine, one thousand seven hundred and ninety-six dollars and fifty-nine cents; which amounts, together with such reasonable compensation for services and expenses of clerks in the office of the Comptroller as may be certified by him, not exceeding the sum of two thousand dollars, for the expense of the levy and collection thereof, shall be refunded to the treasury of the State by the several companies operating electrical conductors in said city which are or shall be required to place and operate any of their conductors underground, pursuant to the provisions of chapter four hundred and ninety-nine of the Laws of eighteen hundred and eighty-five, and the acts amendatory thereof."

Same page, line 36. strike out the words "one thousand eight " and insert the word "eighteen."

Page 22, line 3, strike out the words "the house of refuge on Randall's island," and insert the words "the Society for the Reformation of Juvenile Delinquents in the city of New York, having charge of the house of refuge on Randall's island."

Page 22, line 4, after the word "in " insert the words "appropriations for."

Same page, lines 5 and 6, strike out the words "one thousand eight " and insert the word "eighteen."

Same page, line 11, strike out the words "one thousand eight " and insert the word "eighteen."

Same page, line 14, strike out the words "two thousand " and insert the words "nine hundred and forty-six," and after the word "dollars " insert the words "and eighty-nine cents, and the sum of ten hundred and fifty-three dollars and eleven cents, being the balance remaining in the treasury unexpended of the sum of five thousand dollars appropriated by chapter five hundred and sixty-two of the Laws of eighteen hundred and eighty-seven, for the purpose of breeding deer and wild game, is hereby reappropriated for the same."

Same page, line 17, strike out the word "in " and insert the word "for."

Same page, after line 19, insert the following:

"For furniture, books, blanks, printing calendar, and other necessary expenses of the office of the clerk of the Court of Appeals, required by the creation of the second division of the Court of Appeals, fifteen hundred dollars."

Same page, line 22, strike out the word "twenty" and insert the word "ten."

Same page, after line 23, insert the following:

"For the trustees of the State library, for the purchase of books and for binding, lettering and marking books for the library, during the current fiscal year, in addition to the sums appropriated therefor by chapter two hundred and sixty-nine of the Laws of eighteen hundred and eighty-eight, the sum of four thousand dollars."

Same page, line 26, strike out the words "one thousand eight" and insert the word "eighteen."

Page 23, lines 7 and 8, strike out the words "burning of the."

Same page, line 10, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 12, after the word "necessary" insert the word "but."

Same page, lines 13 and 14, strike out the words "to any person."

Same page, line 15, strike out the word "superintendent" and insert the word "president."

Same page, line 16, strike out the word "clothing" and insert the word "apparel."

Page 24, strike out lines 6 to 18, both inclusive.

Same page, line 27, strike out the word "needed" and insert the word "necessary," and after line 27 insert the words "and for additions to the present building, to provide new school-rooms, work-rooms, chapel and boiler-house, for raising present chapel roof for second story and dividing same into school-rooms and for additional heating and ventilation, forty-nine thousand dollars, or so much thereof as may be necessary, all to be expended by the local board of managers of said school after plans and specifications and a contract executed with proper sureties for the completion of the same within the sums herein appropriated, shall have been approved by the said local board of managers, by the Superintendent of Public Instruction and by the Comptroller."

Same page, line 35, after the word "cents" insert the word "and."

Page 25, line 1, after the word "hundred" insert the word "and."

Same page, lines 3 and 4, strike out the words "to be expended under the direction of the local board of managers."

Same page, line 4, strike out the word "general" and insert the word "maintenance," and before the word "damages" insert the words "expense of."

Same page, line 5, after the word "dollars" insert the word "and."

Same page, line 10, after the word "and," first occurring, insert the word "for;" after the word "thousand" insert the words "six hundred and seventeen," and after the word "dollars" insert the words "The board of managers of said school is hereby authorized to expend, for the above-mentioned purposes, the balance of the sum of forty thousand dollars appropriated in chapter two hundred and seventy of the Laws of eighteen hundred and eighty-eight, for the erection of an additional building for the use of said school, remaining in the treasury unexpended, being the sum of five hundred and twenty-two dollars."

Same page, strike out lines 11, 12, 13 and 14, and insert the following:

"For the State normal and training school, at Oneonta, for furnishing and painting the assembly hall, school-rooms, offices and parlors, and for plumbing and furnishing the science-room, the sum of thirty-two thousand eight hundred dollars, and for grading and walks, the sum of fifteen thousand dollars.

"For the State normal and training school, at Geneseo, for painting outside wood-work, for new floors, for repairs to laboratory, for extending water pipes, and for grading and sodding, the sum of one thousand eight hundred and fifty dollars.

"For the State normal and training school, at Oswego, for interior repairs and painting, the sum of twelve hundred dollars, and for providing necessary implements for carrying out the provisions of chapter three hundred and thirty-four of the Laws of eighteen hundred and eighty-eight, the sum of twelve hundred dollars.

"For the State normal and training school, at Brockport, to be expended by the local board of managers, for ventilation, furniture, grading and fencing grounds, stone walks, outbuilding, and for repairs of old building, the sum of twelve thousand dollars, or so much thereof as may be necessary."

Same page, line 17, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 24, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 26, after the word "cents" insert the word "and."

Same page, line 32, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, after line 33, insert the following:

"The concurrent resolution of the Legislature of eighteen hundred and eighty-eight for printing eight hundred and ten copies of the proceedings of the Legislature of eighteen hundred and eighty-seven and the memorial oration of Honorable Chauncey M. Depew on the death of ex-Governor Reuben E. Fenton, and eight hundred and ten copies of like proceedings and the memorial oration of Honorable B. H. Brewster on the death of ex-President Chester A. Arthur, passed April twenty-fifth, eighteen hundred and eighty-eight; and the concurrent resolutions of the Legislature for printing ten thousand copies of the proceedings of the Legislature of eighteen hundred and eighty-eight and the memorial oration of Colonel Robert G. Ingersoll on the death of ex-Senator Roscoe Conkling, passed January eighteenth, eighteen hundred and eighty-nine, and for printing eighteen hundred and twenty-three copies of the Civil List, to include officers elected or appointed prior to January first, eighteen hundred and eighty-nine, passed March thirteenth, eighteen hundred and eighty-nine, and the necessary binding and engraving therefor, are hereby legalized and confirmed, and they shall have the same force and effect as if the work therein mentioned and ordered had been ordered by acts of the Legislature, and the sum of twelve thousand two hundred and seventy dollars and fifty cents, or so much thereof as may be necessary, is hereby appropriated for paying for such work, upon vouchers therefor to be approved by the Comptroller.

"For payment for printing, binding and lithographing done in pursuance of chapter two hundred and forty of the Laws of eighteen hundred and eighty-five, not already paid for, the sum of four thousand three hundred and eighty-three dollars and forty-two cents."

Page 26, line 1, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, lines 3 and 4, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 6, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 9, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 12, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, after line 19, insert the following:

"For the State Normal and Training School at Oneonta, for maintenance for the year ending September thirtieth, eighteen hundred and eighty-nine, the sum of two thousand dollars."

Same page, line 19, strike out the words "one thousand eight" and insert the word "eighteen."

Page 28, line 8, strike out all after the word "requires" down to and including the word "requires" in line 12.

Mr. Ainsworth offered for the consideration of the House a resolution, in the words following:

Resolved, That the Assembly non-concur in the amendments of the Senate, that a committee of conference be appointed on the part of the House and request the appointment of a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. Ainsworth, Husted, Stevens, Longley and Hitt.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have non-concurred in their amendments, and have appointed a committee of conference thereon, and request the appointment of a like committee on the part of the Senate.

By unanimous consent,

Mr. Husted, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Sloan, Int. No. 214, entitled "An act making appropriations for completing the work of monumenting the battlefield of Gettysburg, and reappropriating money for securing suitable sites for monuments and avenues leading thereto," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Husted, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
 { NOES 00 }

Those who voted in the affirmative, were

Acker	Clarke, C. C.	Hagan	McCarren	Saxton
Adams	Comstock	Haggerty	McKenzie	Schaaff
Ainsworth	Cronin	Hayes	Mead	Sheldon
Andrus	Curtis	Hornidge	Mesick	Smith, C.
Baker, A. B.	Davidson	Hughes	Miley	Smith, T.
Baker, A. H.	Decker	Husted	Murray	Sperry
Barton	Demarest	Kerrigan	Newschafer	Sullivan
Bauer	Dunlap	Kimball	O'Neil	Treadway
Blake	Endres	Lane	Pearsall	Van Gorder
Blanchfield	Enz	Larmon	Peck	Walters
Blumenthal	Fish	Lewis	Rhodes	West
Bush, G. H.	Fitts	Little	Rice	Whipple
Bush, R. P.	Flaherty	Loder	Roesch	Yates
Carson	Graham	Longley	Ryan	Yetman
Cheney	Groat	Martin	Saunders	Young
Clark, J.	Haffner	McCann	Savery	Youngman

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hornidge, Int. No. 875, entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the sale of poisons," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McCann, Int. No. 664, entitled "An act to authorize the creation of a commission to examine into and report upon plans for the improvement of Gowanus creek or canal in the city of Brooklyn," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. McCann, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
 { NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Haffner	Maynard	Schaaff
Ainsworth	Coon	Hagan	McAdam	Sheldon
Andrus	Cottrell	Haggerty	McCann	Smith, M. A.
Baker, A. B.	Cronin	Hamilton	McCarren	Smith, T.

Baker, A. H.	Dante	Harwood	McKenzie	Strassburg
Barton	Decker	Hitt	McLaughlin	Sullivan
Bauer	Demarest	Hughes	Mead	Townsend
Blake	Dinehart	Husted	Moffitt	Treadway
Blanchfield	Dinkelspiel	Kelly	Moody	Van Gorder
Brownell	Duffy	Kent	Murray	Walters
Bush, G. H.	Dunham	Kerrigan	Newschafer	West
Bush, R. P.	Dunlap	Kimball	Nixon	Whipple
Carson	Endres	Lane	Peck	Yates
Cheney	Fitts	Larmon	Roesch	Yetman
Clark, J.	Graham	Little	Ryan	Young
Clarke, C. C.	Greene	Longley	Savery	Youngman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Andrus, Int. No. 863, entitled "An act to revise the charter of the city of Buffalo," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Crosby, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Worth, Int. No. 324, entitled "An act to amend chapter 495 of the Laws of 1885, entitled 'An act providing for placing electrical conductors under ground in cities of this State, and for commissioners of electrical subways,'" reported in favor of the passage of the same, which report was agreed to and said bill restored to its place on the order of third reading, and ordered to be read the third time on Thursday, May ninth.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 206 of the Laws of 1851, entitled 'An act to revise, amend and consolidate the several acts in relation to the village of Salem, in the county of Washington'" (No. 1159), reported the same with the recommendation that it be amended as follows:

Section 1, line 1, strike out the words "The one hundred and ninth;" also, before the word "of" insert the words "one hundred and nine;" also, after the word "of" insert the words "chapter two hundred and six of the Laws of."

Same section, lines 1 and 2, strike out the words "an act passed April seventeenth."

Same section, line 5, after the word "end" strike out the words "thereof as follows" and insert the words "of said section the following."

Same section, line 25, after the word "aforesaid" insert the words "as a free library for the use of the inhabitants of said village under such general regulations as shall be adopted by said trustees of said academy."

Amend the title by adding at the end thereof the words "relating to the founding and maintaining of a public library in said village."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

On motion of Mr. Larmon, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Guenther	Martin	Saxton
Adams	Cottrell	Haffner	McAdam	Smith, M. A.
Ainsworth	Crosby	Haggerty	McCarren	Smith, T.
Andrus	Dante	Hamilton	McKenzie	Sperry
Baker, A. B.	Davidson	Harwood	McLaughlin	Stevens
Baker, A. H.	Decker	Hayes	Mead	Tefft
Bauer	Demarest	Hitt	Mesick	Townsend
Blake	Dinkelspiel	Hughes	Miley	Treadway
Blanchfield	Duffy	Husted	Moody	Upton
Brown	Dunlap	Kent	Murray	Van Gorder
Brownell	Endres	Kerrigan	Nixon	Walters
Bush, G. H.	Enz	Kimball	O'Neil	West
Carson	Fish	Lane	Pearsall	Whipple
Cheney	Fitts	Larmon	Peck	Yates
Clark, J.	Gallup	Lewis	Rice	Yetman
Clarke, C. C.	Gibbs	Little	Saunders	Young
Comstock	Greene	Loder	Savery	Youngman
Connelly	Groat	Longley		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend sections 9 and 10 of title 1 of chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,' as amended by section 5 of chapter 213 of the Laws of 1875, entitled 'An act relative to the care and education of deaf-mutes'" (No. 982), reported the same with the recommendation that it be amended as follows:

Section 1, strike out all after "Section 1" and insert the following: "Section 9 of title 1 of chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,' as amended by chapter 213 of the Laws of 1875, chapter 567 of the Laws of 1875, and chapter 615 of the Laws of 1886, is hereby amended so as to read as follows:

"§ 9. All deaf and dumb persons resident in this State and upwards of twelve years of age, who shall have been resident in this State for one year immediately preceding the application, or if a minor, whose parent or parents, or if an orphan, whose nearest friend, shall have been resident in this State for one year immediately preceding the application, shall be eligible to appointment as State pupils in one of the deaf and dumb institutions of this State authorized by law to receive such pupils; and all blind persons of suitable age and similar qualifications shall be eligible to appointment to the institutions for the blind in the city of New York or in the village of Batavia, as fol-

lows: All such as are residents of the counties of New York, Kings, Queens, Suffolk and Richmond shall be sent to the institution for the blind in the city of New York; those who reside in other counties of the State shall be sent to the institution for the blind in the village of Batavia. All such appointments, with the exception of those to the institution for the blind in the village of Batavia, shall be made by the Superintendent of Public Instruction upon application, and in those cases in which, in his opinion, the parents or guardians of the applicants are able to bear a portion of the expense, he may impose conditions whereby some proportionate share of the expense of educating and clothing such pupils shall be paid by their parents, guardians or friends, in such manner and at such times as the Superintendent shall designate, which conditions he may modify from time to time if he shall deem it expedient to do so."

Amend the title so as to read as follows:

"An act to amend chapter 155 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction, as amended by chapter 213 and chapter 567 of the Laws of 1875, and chapter 615 of the Laws of 1886, relating to deaf-mutes.'"

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 239 of the Laws of 1866, entitled 'An act to incorporate The Poughkeepsie Associated Fire Department of the city of Poughkeepsie'" (No. 1181), reported the same with the recommendation that it be amended as follows:

Section 1, line 2, after the word "sixty-six" insert the word "entitled 'An act to incorporate the Poughkeepsie Associated Fire Department of the city of Poughkeepsie' as amended by chapter 68 of the Laws of 1873."

Same section, add at the end of line 15, the words "and the said corporation is hereby authorized to expend the sum of \$2,500, or any less sum, from the funds in its possession in the erection of a monument to the memory of deceased firemen, in the Poughkeepsie rural cemetery."

Section 2, line 1, strike out all after "§ 2," and insert the words "said chapter, as amended, is hereby further amended by adding thereto a new section to be designated and numbered as section 10, which shall read as follows: "

Amend the title by adding thereto the words "as amended by chapter 68 of the Laws of 1873.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendation:

"An act to amend section 2558 of the Code of Civil Procedure, relating to probate of wills." (No. 1216.)

"An act to amend chapter 313 of the Laws of 1886, entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of New York,' as amended by chapter 166 of the Laws of 1887." (No. 1217.)

"An act in relation to the Inebriates' Home for Kings county." (No. 890.)

"An act to amend chapter 230 of the Laws of 1884, entitled 'An act to authorize and enable the county of Kings, for the care, custody and relief of its poor and insane, to purchase, erect and maintain, outside the limits of said county, a farm and buildings, and to issue bonds to meet the expense thereof.'" (No. 792.)

"An act to amend chapter 647 of the Laws of 1887, entitled 'An act to regulate the licensing and registration of physicians and surgeons, and to codify the medical laws of the State of New York.'" (No. 909.)

"An act to authorize and empower the city of Rochester to acquire lands, waterways, ponds and streams in the city of Rochester, or in any of the towns adjoining said city, or any easement, either perpetual or for a term of years, in any such lands, waterways, ponds or streams, for the purpose of drainage and sewerage." (No. 1176.)

"An act to provide for the payment of the cost and expenses of the construction of a trunk sewer on the east side of the Genesee river in the city of Rochester by the issue of bonds of said city, and to provide for the payment of said bonds by local assessments." (No. 1207.)

"An act to regulate the lighting of steam passenger cars." (No. 1210.)

"An act to amend chapter 583 of the Laws of 1888, being an act entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' so as to abolish the office of constable and provide for the appointment of marshals instead thereof." (No. 1201.)

"An act to authorize the issue of the bonds of the city of Rochester to pay for an additional water supply." (No. 1206.)

"An act providing for the care and treatment of persons not residents of the city of New York who arrive at the port of New York, and are sick with small-pox, or any contagious or infectious disease, and the duties of the Commissioners of Emigration and the health department of the city of New York relative thereto." (No. 1218.)

"An act in relation to the bridge over the Harlem river, in the city of New York, constructed by commissioners appointed in pursuance of chapter 487 of the Laws of 1885, entitled 'An act to provide for the construction of a bridge over the Harlem river, in the city of New York.'" (No. 1214.)

"An act to amend the commissioners' map of the city of Brooklyn, and to authorize the common council of said city to open and grade and pave certain streets in said city." (No. 1003.)

"An act to prevent the sale and delivery of adulterated wheat in the markets of this State." (No. 1231.)

"An act to amend chapter 546 of the Laws of 1887, entitled 'An act to provide for the organization of trust companies, for their supervision and for the administration of their affairs.'" (No. 961.)

"An act to amend chapter 716 of the Laws of 1887, entitled 'An act in relation to the electrical conductors in the city of New York.'" (No. 1108.)

"An act to amend chapter 299 of the Laws of 1883, entitled 'An act to provide for the enrollment of the militia, for the organization and government of the National Guard of the State of New York and for the public defense, and entitled the Military Code,' as amended by

chapters 91, 322 and 323, Laws of 1884; chapters 268 and 310, Laws of 1885; chapters 412 and 487, Laws of 1886; chapter 649, Laws of 1887, and chapter 332, Laws of 1888." (No. 1026.)

"An act to repeal chapter 489 of the Laws of 1871, entitled 'An act to amend an act entitled An act to incorporate the village of Totten-ville, in the town of Westfield, county of Richmond.'" (No. 1152.)

"An act to amend section 1 of chapter 814 of the Laws of 1873, entitled 'An act to extend the operation and effect of the act passed February 17, 1848, entitled An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes.'" (No. 963.)

"An act to amend section 351 of the Penal Code, relating to bets on horse races." (No 665.)

Ordered, That said bills be engrossed for a third reading.

Mr. O'Neil introduced a bill entitled "An act to incorporate the Supreme Council of the Emerald Beneficial Association" (Int. No. 1235), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Ainsworth, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Hagan	McCann	Saunders
Adams	Curtis	Haggerty	McCarren	Savery
Ainsworth	Davidson	Harwood	McKenzie	Sheldon
Andrus	Decker	Hayes	McLaughlin	Smith, M. A.
Aspinall	Demarest	Hughes	Mead	Smith, T.
Baker, A. B.	Dinehart	Husted	Mesick	Sperry
Barton	Dinkelspiel	Kent	Moffitt	Stevens
Bauer	Duffy	Kimball	Moody	Sullivan
Blanchfield	Endres	Lane	Mullaney	Towne
Blumenthal	Enz	Larmon	Murray	Treadway
Brown	Fitts	Lewis	Newschafer	Upton
Brownell	Gibbs	Little	Nixon	Van Gorder
Carson	Graham	Loder	O'Neil	Walters
Cheney	Greene	Longley	Pearsall	West
Clark, J.	Groat	Martin	Peck	Whipple
Comstock	Guenther	Mase	Roesch	Yates
Coon	Haffner	Maynard	Ryan	Youngman
Cottrell				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Lewis introduced a bill entitled "An act to amend chapter 214 of the Laws of 1888, entitled 'An act to revise the charter of the city of Binghamton'" (Int. No. 1236), which was read the first time, and by unanimous consent, was also read the second time.

On motion of Mr. Lewis, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and to be read the third time on Friday May tenth. .

Mr. McCann moved to take from the table the motion to reconsider the vote by which Senate bill No. 608, entitled "An act to regulate the custody and disbursement of elevated railway income percentage special tax receipts in certain cases" (Rec. No. 296), was lost.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 81 }
{ NOES 8 }

Those who voted in the affirmative, were

Adams	Coon	Greene	Martin	Ryan
Ainsworth	Cottrell	Guenther	Maynard	Savery
Andrus	Cronin	Haffner	McAdam	Schaaff
Aspinall	Dante	Haggerty	McCann	Smith, C.
Baker, A. B.	Davidson	Harwood	McKenzie	Smith, M. A.
Baker, A. H.	Decker	Hayes	McLaughlin	Smith, T.
Barton	Demarest	Hornidge	Mead	Strassburg
Bauer	Dinehart	Hughes	Mesick	Sullivan
Blake	Dinkelspiel	Kelly	Miley	Tefft
Blanchfield	Duffy	Kerrigan	Miller	Towne
Brownell	Dunlap	Kimball	Moffitt	Treadway
Bush, G. H.	Endres	Lane	Mullaney	Walters
Carson	Fitts	Larmon	Murray	Whipple
Clark, J.	Flaherty	Lewis	Newschafer	Yates
Clarke, C. C.	Gibbs	Little	Nixon	Yetman
Comstock	Graham	Longley	Rice	Young

Those who voted in the negative, were

Acker	Connelly	Fish	Roesch	Sheehan
Blumenthal	Crosby	King		

The vote upon the final passage of said bill having been reconsidered,

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 29 }

Those who voted in the affirmative, were

Adams	Dante	Harwood	McLaughlin	Smith, C.
Andrus	Demarest	Hayes	Mead	Smith, M. A.
Baker, A. B.	Dinehart	Hornidge	Mesick	Smith, T.

Baker, A. H.	Dinkelspiel	Hughes	Miley	Strassburg
Barton	Duffy	Kelly	Miller	Sullivan
Bauer	Dunlap	Kent	Moffitt	Tefft
Blake	Fitts	Kerrigan	Mullaney	Towne
Blanchfield	Flaherty	Kimball	Murray	Townsend
Brownell	Gibbs	Lane	Newschafer	Treadway
Bush, G. H.	Graham	Lewis	Nixon	Walters
Bush, R. P.	Greene	Longley	O'Neil	West
Carson	Groat	Martin	Rhodes	Whipple
Clark, J.	Guenther	McAdam	Rice	Yates
Clarke, C. C.	Haffner	McCann	Ryan	Yetman
Comstock	Hagan	McCarren	Savery	Young
Cronin	Haggerty	McKenzie	Schaaff	

Those who voted in the negative, were

Acker	Coon	Fish	Moody	Sheehan
Ainsworth	Cottrell	Gallup	Pearsall	Sheldon
Aspinall	Crosby	Hamilton	Peck	Sperry
Blumenthal	Davidson	King	Roesch	Upton
Cheney	Decker	Loder	Saunders	Van Gorder
Connelly	Endres	Mase	Saxton	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Dinkelspiel offered for the consideration of the House a resolution, in the words following :

Resolved, That Senate bill printed in Assembly, No. 1230, entitled "An act to secure adequate compensation for the right to construct, maintain, use and operate by electric power, heat and light companies, poles, subways, wires and conductors in cities of one million inhabitants or more, and in relation to such companies," now on the order of third reading, be read the third time to-morrow.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Pearsall offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 1161, entitled "An act to provide for the construction of fish-ways in the dam across the Chenango river, in the village of Chenango Forks, Broome county, N. Y., and making an appropriation therefor," now on the order of third reading, be read the third time on Wednesday, May eighth.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Mase offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 1181, entitled "An act to amend chapter 239 of the Laws of 1866, entitled 'An act to incorporate the Poughkeepsie Associated Fire Department of the city of Poughkeepsie,'" now on the order of third reading, be read the third time.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were •

Acker	Clark, J.	Enz	Longley	Savery
Adams	Clarke, C. C.	Fish	Martin	Saxton
Ainsworth	Comstock	Graham	Mase	Smith, T.
Andrus	Coon	Greene	McAdam	Sullivan
Aspinall	Cronin	Groat	McCann	Towne
Baker, A. B.	Crosby	Guenther	McCarren	Townsend
Baker, A. H.	Curtis	Haffner	McKenzie	Treadway
Bauer	Dante	Hagan	McLaughlin	Van Gorder
Blake	Davidson	Haggerty	Mead	Walters
Blanchfield	Decker	Hamilton	Miley	West
Blumenthal	Demarest	Hayes	Murray	Whipple
Brownell	Dinehart	Hornidge	Newschafer	Yates
Bush, G. H.	Dinkelspiel	Hughes	O'Neil	Yetman
Bush, R. P.	Dunlap	Kent	Pearsall	Young
Carson	Edwards	Kimball	Ryan	Youngman
Cheney	Endres	Larmon	Saunders	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Saxton offered for the consideration of the House a resolution, in the words following:

Resolved, That the Assembly bill No. 1044, entitled "An act to amend section 2692 of the Code of Civil Procedure, relative to the appointment of successors to executors or administrators," now on the order of third reading, be read the third time on Thursday morning, May ninth, after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Fish offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That the thanks of the Legislature are hereby tendered to Mr. E. S. Stokes, the proprietor of the Hoffman House, New York city, for his courtesy in giving the centennial committee of the Legislature the free use of a room for the members of the Legislature during the recent centennial celebration.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Longley moved to take from the table the motion to reconsider the vote by which Assembly bill No. 849, entitled "An act to amend chapter 525 of the Laws of 1887, entitled 'An act to enable the several cities and towns of the State, which have not already done so, to refund the money expended in furnishing substitutes, or in com-

mutation by the men who were drafted into the military service of the United States and held to service in the several drafts under the conscription act of the United States, entitled An act for enrolling and calling out the national forces, and for other purposes, approved March 3, 1863, and the acts amendatory thereto, while the option of commutation, by the payment of \$300 remained, and for relief of the men who entered the service under said drafts," was lost.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 48 }
{ NOES 34 }

Those who voted in the affirmative, were

Adams	Coon	Greene	Mead	Saunders
Baker, A. H.	Curtis	Haggerty	Mesick	Smith, M. A.
Barton	Dante	Harwood	Moffitt	Smith, T.
Blake	Davidson	Hitt	Mullaney	Stevens
Brownell	Decker	Hornidge	Nixon	Sullivan
Bush, G. H.	Dinehart	Lane	O'Neil	Townsend
Carson	Dunlap	Larmon	Peck	Walters
Cheney	Endres	Little	Rice	Yetman
Comstock	Fitts	Longley	Ryan	Young
Connelly	Gallup	McAdam		

Those who voted in the negative, were

Acker	Cottrell	Gibbs	Martin	Sperry
Andrus	Crosby	Haffner	McCarren	Tefft
Bauer	Demarest	Hamilton	Miley	Towne
Blanchfield	Dinkelspiel	Kent	Moody	Van Gorder
Blumenthal	Edwards	Kerrigan	Pearsall	West
Bush, R. P.	Enz	King	Rhodes	Whipple
Clark, J.	Fish	Loder	Smith, C.	

The Senate returned the bill entitled "An act to amend chapter 466 of the Laws of 1875, entitled 'An act to exempt property, real and personal, of the Society of the New York Hospital from taxation, and to repeal section 4 of chapter 257 of the Laws of 1822'" (No. 790), with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, line 6, strike out the word "and" and insert the word "or."

Same section, line 9, strike out all after the word "chartered."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
 { NOES 1 }

Those who voted in the affirmative, were

Acker	Cottrell	Groat	Longley	Rice
Adams	Curtis	Haffner	McAdam	Saunders
Aspinall	Dante	Hagan	McCarren	Saxton
Baker, A. B.	Davidson	Haggerty	McKenzie	Schaaff
Baker, A. H.	Decker	Hamilton	Mead	Sheldon
Barton	Demarest	Harwood	Mesick	Smith, C.
Bauer	Dinehart	Hayes	Miley	Smith, M. A.
Blake	Duffy	Hitt	Moffitt	Sperry
Blanchfield	Dunlap	Hornidge	Moody	Tefft
Blumenthal	Edwards	Hughes	Mullaney	Towne
Brownell	Endres	Husted	Murray	Treadway
Carson	Enz	Kelly	Newschafer	West
Cheney	Fitts	Kent	Nixon	Whipple
Clarke, C. C.	Gibbs	Larmon	O'Neil	Yetman
Comstock	Graham	Little	Rhodes	Youngman
Coon	Greene	Loder		

For the negative,

Connelly

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

Mr. Sullivan offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 977, entitled "An act to enable courts of justice to receive in evidence in actions or proceedings involving the title of premises known by the street number as No. 209 Hester street, in the city of New York, certain testimony heretofore received in a cause involving the same question," now on the order of third reading, be read the third time on Thursday, May ninth, at 12 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Acker offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 848, entitled "An act to establish a Code of evidence," now on the order of third reading, be read the third time May ninth, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Greene, and by unanimous consent, the bill (No. 670) entitled "An act to amend section 1341 of the Code of Civil Procedure, relating to limitation of time and security on appeal," now on the order of third reading, was ordered read the third time on Friday morning, immediately after the reading of the journal.

Mr. Crosby offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 666, entitled "An act to amend section 351 of the Penal Code, relating to bets on horse races," now on

the order of third reading, be read the third time May 10, 1889, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Kent offered for the consideration of the House a resolution, in the words following:

Resolved, That Senate bill No. 290, entitled "An act to authorize the common council of the city of Utica to raise by tax and disburse money in providing an additional engine-house in said city," be substituted for Assembly bill No. 436, same title.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Towne offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 1028, entitled "An act to authorize the establishment of an electric plant for the purpose of lighting the city of Jamestown, N. Y., with electric light, and to empower the common council of said city to raise the necessary funds therefor," now on the order of third reading, be read the third time on Thursday morning, May ninth, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Hitt offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 1043, entitled "An act to provide for the purchase and distribution of a table of expiration of sentences under chapter 492 of the Laws of 1888," now on the order of third reading, be made a special order for Monday, May thirteenth, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Little offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 995, entitled "An act authorizing the construction of a pier or breakwater along the north bank or side of Tonawanda creek at Wendellville, in the county of Niagara, to protect the adjacent real estate and property from damages by water and ice, caused by the removal of earth by the State in the construction of a bridge over said creek and part of the tow-path of the Erie canal," now on the order of third reading, be read the third time on Friday morning.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate returned the Senate bill entitled "An act to amend section 597 of the Code of Criminal Procedure, relating to bail" (Rec. No. 253), with a message that they have concurred in the amendments of the Assembly thereto.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the following entitled bill:

"An act to amend chapter 466 of the Laws of 1875, entitled 'An act to exempt property, real and personal, of the society of the New York

hospital from taxation, and to repeal section 4 of chapter 257 of the Laws of 1822." (No. 790.)

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

"An act reappropriating a certain unexpended balance, and authorizing the Superintendent of Public Works to expend the same in dredging and excavating the channel of Seneca river and the old Bear race in the village of Waterloo, and providing for the release to the State by the owner of lands in the channel of said race, the right to use the same for canal purposes only." (No. 1104.)

"An act to confirm the audits of accounts by the boards of supervisors of the various counties of this State." (No. 852.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same, as amended:

"An act to revise the charter of the village of Mount Morris." (Int. No. 1175.)

"An act to enable the board of education of Union Free School District No. 1 of the city of Rome to raise money for extraordinary or special purpose, by giving notice thereof by publication in newspapers of the city of an election to be held, instead of by serving a personal notice upon the qualified voters of said district." (No. 518.)

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Husted moved that the House now take a recess.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, the House took a recess until 4 o'clock P. M.

FOUR O'CLOCK P. M.

The House again met.

The bill (No. 966), entitled "An act to promote the care and curative treatment of the pauper and indigent insane in the counties of this State, except New York, Kings and Monroe counties, and to permit said excepted counties or either of them, in accordance with the action of their respective local authorities, to avail themselves or any one or more of them of the provisions of this act," having been announced for a third reading,

On motion of Mr. Crosby, said bill was laid aside.

Mr. Van Gorder presented a petition relative to the inspection of meat by State officials; which was referred to the committee on public health.

The bill (No. 884) entitled "An act to provide for the preliminary education of medical students," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	78	}
{	NOES	00	}

Those who voted in the affirmative, were

Acker	Comstock	Flaherty	Loder	Roesch
Adams	Coon	Gibbs	Mase	Ryan
Ainsworth	Cottrell	Greene	McAdam	Saunders
Andrus	Crosby	Groat	McCarren	Savery
Baker, A. B.	Davidson	Guenther	McKenzie	Saxton
Baker, A. H.	Decker	Haffner	McLaughlin	Schaaff
Bauer	Demarest	Haggerty	McMaster	Sheehan
Blake	Dinehart	Hayes	Mead	Sperry
Blanchfield	Dinkelspiel	Hornidge	Moody	Stevens
Blumenthal	Duffy	Hughes	Mullaney	Treadway
Brown	Dunham	Husted	Murray	Walters
Bush, G. H.	Dunlap	Kent	Pearsall	West
Bush, R. P.	Edwards	Kimball	Peck	Whipple
Carson	Endres	Lane	Rhodes	Yetman
Cheney	Enz	Lewis	Rice	Young
Clarke, C. C.	Fish	Little		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Crosby moved to take from the table the bill (No. 1053) entitled "An act to further amend chapter 606 of the Laws of 1875, entitled 'An act further to provide for the construction and operation of a steam railway or railways in the counties of the State.'"

Mr. ——— raised the point of order that the session was for the third reading of bills in regular order only, and that this bill was laid upon the table by a vote of the House, and could not be taken from the table except by a vote of the House, and that the motion was not in order.

Mr. Speaker decided the point of order well taken.

The bill (No. 885) entitled "An act to amend chapter 280 of the Laws of 1888, entitled 'An act to amend chapter 540 of the Laws of 1879, entitled An act to regulate the practice of dentistry in the State of New York,' " having been announced for a third reading,

On motion of Mr. Savery, and by unanimous consent, the same was amended as follows:

Strike out all after the enacting clause and insert the following:

SECTION 1. Chapter 540 of the Laws of 1879, entitled "An act to regulate the practice of dentistry in the State of New York," as amended by chapter 280 of the Laws of 1888, is hereby amended as follows:

§ 1. No person shall practice dentistry or assist in the practice of dentistry, either as agent or employé in the State of New York, who shall not have received a proper diploma or certificate of qualification from the State Dental Society or from the faculty of a dental or medical college recognized and approved by said society, as providing a proper or sufficient medical or dental education, and maintaining a proper standard thereof; and no person shall practice dentistry in this State who shall not have attained the full age of twenty-one years, and registered in the office of the clerk of the proper county as

provided in section 3 of this act, provided, however, that any person who, after attaining the age of twenty-one years, practiced dentistry in this State for ten consecutive years prior to the 20th day of June, 1879, may within three months from the passage of this act, upon making affidavit to that effect before the clerk of the county in which he shall engage in such practice, register and practice as a dentist without having received a diploma or certificate from the State Dental Society, as required in other cases. Provided, further, that nothing in this act contained shall prevent a student who is pursuing a regular course of instruction from assisting a person duly qualified to practice dentistry and register as herein provided.

§ 2. Any person who shall practice dentistry in this State without the authority prescribed by section 1, or without having duly registered as required by section 3 of this act, shall be deemed guilty of a misdemeanor, and shall be punished on conviction of a first offense by a fine of not less than fifty dollars, and on conviction of a second offense, by a fine of not less than one hundred dollars. All such fines shall be paid into the treasury of the county wherein they shall be imposed, and applied to the benefit of the common schools of that county.

§ 3. No person shall practice dentistry in this State who shall not have attained the full age of twenty-one years. Every person practicing dentistry within this State who shall not have made, prior to the passage of this act, such registration as was required of dentists by the laws in force prior to this enactment, and at the date of such registration, shall register in the office of the clerk of the county where his place of business is located, and in the office of the clerk of any county into which he shall remove or in which he shall carry on his business, in a book to be prepared and kept by the clerk for that purpose, his name, age, office and post-office addresses, legal authority for practicing dentistry in this State, and the date of such registration, which he shall be entitled to make only upon presenting to the county clerk a certificate from the member of the State Board of Censors appointed by the State Dental Society, for the judicial district in which said county is situated, to the effect that said applicant for registration has received a proper diploma or certificate of qualification, as provided in section 1 of this act, and upon the making by said applicant of an affidavit stating his name, age and legal authority to practice dentistry within this State. Every person admitted to registration under the provisions of this act, shall be entitled upon the payment of a fee of fifty cents, to receive from the county clerk a certified transcript of his registration. All affidavits made in pursuance of the provisions of this section, shall be preserved in a bound volume by the county clerk in whose office they are made, and all affidavits made pursuant to the provisions of section 1 of this act, shall be filed and preserved in such office, and if any affidavit made pursuant to the provisions of this act be false in any material regard, the affiant shall be deemed guilty of perjury, and punishable therefor as prescribed by the Penal Code. It is further provided, that any registration procured by fraud or false statement of any kind, shall be deemed null and void, and the person procuring the same shall be guilty of a misdemeanor and punishable on conviction, by a fine of

not less than fifty dollars or by imprisonment, or by both fine and imprisonment.

§ 4. This act shall constitute the only penal statute regulating the practice of dentistry in this State, and all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

§ 5. This act shall take effect immediately.

Amend the title so as to read as follows:

"An act to amend chapter 540 of the Laws of 1879, entitled 'An act to regulate the practice of dentistry in the State of New York,' as amended by chapter 280 of the Laws of 1888."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Groat	Lewis	Roesch
Ainsworth	Coon	Guenther	Little	Ryan
Andrus	Cottrell	Haffner	Loder	Savery
Aspinall	Curtis	Haggerty	Martin	Saxton
Baker, A. B.	Davidson	Hamilton	McAdam	Schaaff
Baker, A. H.	Decker	Harwood	McCarren	Sheehan
Bauer	Demarest	Hitt	McKenzie	Smith, T.
Blake	Dinehart	Hornidge	McMaster	Sperry
Blanchfield	Dinkelspiel	Hughes	Mead	Towne
Blumenthal	Duffy	Husted	Miley	Treadway
Brown	Dunlap	Kelly	Moody	Walters
Brownell	Endres	Kent	Murray	West
Bush, G. H.	Enz	Kimball	O'Neil	Whipple
Carson	Fitts	King	Pearsall	Yetman
Cheney	Gibbs	Lane	Peck	Young
Clarke, C. C.	Greene	Larmon		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (Rec. No. 5), entitled "An act to amend chapter 195 of the Laws of 1886, entitled 'An act to make the office of county clerk of Monroe county a salaried office and regulating the management of said office,'" having been announced for a third reading,

Mr. Loder moved to amend as follows:

Section 1, line 11, printed bill, after the word "supervisors" insert the words "of said county at any special or annual session thereof."

Same section, line 15, strike out the word "establish" and insert instead thereof the word "establishing."

Same section, line 16, after the word "session" insert the words "after the adoption of a resolution prescribing the same after the passage of this act."

Section 2, line 1, strike out the word "incompetent" and insert instead thereof the word inconsistent."

Mr. Husted moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Loder, and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker, put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 67 }
{ NOES 9 }

Those who voted in the affirmative, were

Acker	Cottrell	Gibbs	Maynard	Sheldon
Ainsworth	Cronin	Groat	McAdam	Sperry
Andrus	Curtis	Hamilton	McKenzie	Stevens
Aspinall	Dante	Hughes	McMaster	Tefft
Baker, A. B.	Davidson	Husted	Mead	Towne
Baker, A. H.	Decker	King	Mesick	Treadway
Barton	Dinehart	Lane	Moody	Upson
Bauer	Dunlap	Larmon	Pearsall	Van Gorder
Brown	Edwards	Lewis	Peck	Walters
Brownell	Endres	Little	Rhodes	West
Carson	Enz	Loder	Saunders	Whipple
Cheney	Fish	Longley	Savery	Youngman
Comstock	Flaherty	Martin	Saxton	Speaker
Coon	Gallup			

Those who voted in the negative, were

Blumenthal	Connolly	Hornidge	McCann	Ryan
Bush, G. H.	Graham	Kelly	Miley	

Messrs. Blake and Demarest present and not voting.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The bill (No. 883), entitled "An act authorizing and empowering the board of supervisors of Kings county to appoint a stenographer to the coroners of said county, and to fix the salary of the same," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Gibbs	Longley	Peck
Ainsworth	Cottrell	Graham	Martin	Rhodes
Andrus	Cronin	Groat	Maynard	Ryan

Baker, A. B.	Curtis	Guenther	McAdam	Saunders
Baker, A. H.	Davidson	Haffner	McCann	Schaaff
Blake	Decker	Haggerty	McKenzie	Sheldon
Blanchfield	Demarest	Hitt	McLaughlin	Smith, T.
Blumenthal	Dinehart	Hornidge	McMaster	Stevens
Brown	Dinkelspiel	Hughes	Mead	Towne
Brownell	Duffy	Kelly	Mesick	Treadway
Bush, G. H.	Dunlap	Kent	Miley	Upton
Bush, R. P.	Edwards	Kimball	Moody	Walters
Carson	Endres	Lane	Mullaney	West
Cheney	Enz	Larmon	Murray	Whipple
Comstock	Fish	Little	O'Neil	Yates
Connelly	Flaherty	Loder	Pearsall	Youngman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, May 8, 1889. }

To the Assembly:

Assembly bill No. 880, entitled "An act to amend sections 37 and 52 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act, and to declare the special and local laws affecting public interests in the city of New York,'" is herewith returned without approval.

The principal amendment proposed by this bill consists in legislating out of office the present police commissioners of the city of New York, and substituting in their stead a board of two commissioners, one belonging to and representing each of the two political parties of the State. The present board consists of four commissioners, and there is no provision of law requiring that they shall belong to any political party. Under the existing charter the board may consist of all Democrats or all Republicans, and the mayor in making his appointments is at liberty to select the best citizens, irrespective of political considerations.

There does not seem to be any pressing necessity for a change in the line indicated by this bill. Whether the board shall consist of four or two commissioners is, perhaps, not a vital matter, but the circumstances surrounding the passage of the measure afford some ground for the charge that it was not specially designed to serve any public interest, but that its principal object was the removal of the present commissioners from office.

There is no great principle involved in a reduction of the number of commissioners from four to two, and there has never been manifested any considerable amount of public opinion in favor of such a proposition. A single-headed commission, or a commission consisting of three persons, has often been suggested, and there are many arguments which can appropriately be urged in favor of either of such systems. A better concentration of responsibility, as well as a fairer representation of the people, might be facilitated in a single-headed or in a three-headed commission. But the present measure ignores

all such considerations, and provides for a commission equally divided politically, with no power to act upon any question in case of a tie. It reduces the number of the commissioners, but otherwise perpetuates the objectionable features of the present system.

This bill, as well as the bill relating to the park commission, passed simultaneously therewith, guarantees to the Republican party a permanent one-half representation in the police and park departments. It may well be questioned whether that party is entitled to any such representation. It polls usually only about one-third of the vote of that city, and it is difficult to discover why it should have a greater representation than its numerical strength fairly entitles it to.

A measure which arbitrarily removes from office, officials, whose terms have not expired, should always be enacted with great caution, and should only be resorted to where some essential principle is necessary to be asserted in behalf of good government, or some conceded reform is to be brought about, which can be affected in no other manner.

The change proposed by this bill is not so important or desirable as to justify the summary removal of officials, and leads to the suspicion that political or factional motives have induced its presentation at this time. It is said that the bill will be productive of reform, but upon its face it is apparently designed to secure political advantage of one party over another or one faction over another.

It does not conclusively appear that a better administration of city affairs will be promoted by the signing of the measure, and I decline to canvass any other considerations that are urged for my approval. My views upon this, and all other bills of a similar character, were expressed in my annual message of 1886, as follows:

“While desiring to coöperate with the Legislature in every honest and genuine effort to promote the cause of municipal reform, it should be stated that legislation cannot be expected to meet with executive approval, which, although cunningly devised and artfully worded, and loudly proclaimed as reformatory in its character, yet is in fact designed for partisan advantage, or the mere substitution of one set of officials for another, the creation of new offices or the redistribution of political patronage.”

I reiterate those sentiments anew. I am not the governor of a class or a faction, or even of a party. I am the executive of the will of the people of the whole State. I refuse to be swerved from my convictions of duty upon this or any other bill, by unreasonable or uninformed clamor, the mere selfish interests of party or faction, the denunciations or criticisms of enemies or the blandishments or appeals of friends.

The measure is not in the public interest, and I cannot consistently approve it.

DAVID B. HILL.

Mr. Hamilton moved that said bill become a law notwithstanding the objections of the Governor.

Mr. Speaker put the question, “Shall this bill become a law, notwithstanding the objections of the Governor?” and it was determined in the negative, two-thirds of all the members elected to the Assembly not voting in favor thereof.

{ AYES 50 }
 { NOES 44 }

Those who voted in the affirmative, were

Acker	Coon	Gibbs	McAdam	Sheldon
Ainsworth	Dante	Groat	McMaster	Tefft
Baker, A. H.	Davidson	Hamilton	Mead	Towne
Bauer	Decker	Husted	Mesick	Treadway
Brown	Dinehart	Kerrigan	Moody	Upton
Brownell	Dunlap	Larmon	Nixon	Van Gorder
Carson	Enz	Lewis	Pearsall	Walters
Cheney	Fish	Little	Peck	Whipple
Clark, J.	Fitts	Loder	Saunders	Yates
Comstock	Gallup	Maynard	Savery	Speaker

Those who voted in the negative, were

Blake	Duffy	Hayes	McCann	Roesch
Blanchfield	Dunham	Hitt	McCarren	Ryan
Blumenthal	Endres	Hornidge	McLaughlin	Schaaff
Bush, G. H.	Graham	Kelly	Miley	Sheehan
Bush, R. P.	Greene	Kent	Miller	Smith, T.
Connolly	Guenther	Kerrigan	Murray	Townsend
Cronin	Haffner	King	Newschafer	Yetman
Demarest	Haggerty	Longley	O'Neil	Young
Dinkelspiel	Harwood	Martin	Rice	

Also, the following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
 ALBANY, May 8, 1889. }

To the Assembly:

Assembly bill No. 1130, entitled "An act to amend sections 42 and 52 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in relation to the appointment and salaries of the commissioners of parks," is herewith returned without approval.

The reasons given in my veto of Assembly bill No. 880, returned concurrently herewith, are substantially those which compel my disapproval also of this bill. The changes proposed in each are similar in character and the general principles involved are the same, and I am, therefore, led to a like decision in both measures.

DAVID B. HILL.

On motion of Mr. Husted, said bill and the accompanying message were laid upon the table.

The bill (No. 1105) entitled "An act to enable the mayor and common council of Long Island City to borrow money for the purpose of increasing the water supply and laying additional water pipes in said city," having been announced for a third reading,

On motion of Mr. Cronin, and by unanimous consent, the same was amended as follows:

Section 6, line 9, strike out the word "rents" and insert in place thereof the word "bonds."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Fitts	Martin	Ryan
Baker, A. B.	Cottrell	Gibbs	Maynard	Saunders
Baker, A. H.	Cronin	Graham	McAdam	Savery
Barton	Curtis	Guenther	McCann	Smith, T.
Bauer	Dante	Haffner	McMaster	Sullivan
Blake	Davidson	Haggerty	Mead	Townsend
Blanchfield	Decker	Hamilton	Mesick	Upson
Blumenthal	Demarest	Harwood	Miley	Van Gorder
Brown	Dinehart	Hitt	Moody	Walters
Bush, R. P.	Dinkelspiel	Hughes	Murray	West
Carson	Duffy	Kelly	Nixon	Whipple
Cheney	Dunham	Kent	O'Neil	Yates
Clark, J.	Dunlap	Kimball	Pearsall	Young
Clarke, C. C.	Edwards	Larmon	Rice	Youngman
Comstock	Endres	Loder	Roesch	Speaker
Connelly	Enz	Longley		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Peck, from the subcommittee of the whole, presented a report in writing ; which was laid upon the table and ordered printed.

(See Doc. No 102.)

Mr. Little offered for the consideration of the House a resolution, in the words following:

Resolved, That Senate bill No. 551, entitled "An act authorizing the removal of the remains of deceased persons now interred in the cemetery in the city of Lockport, known as the 'Episcopal cemetery,' and for their reinterment in Glenwood cemetery, in said city of Lockport," be substituted for Assembly bill No. 702, same title.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate returned the bill entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations" (No. 1027), with a message that they consent to the appointment of a committee of conference thereon, and have appointed as such committee Senators Sloan, Erwin and Grady.

The bill (No. 372) entitled "An act to amend chapter 395 of the Laws of 1886, entitled 'An act prohibiting the killing of quail and ruffed grouse, commonly called partridge, within the county of Niagara, for the period of three years from and after the passage of this act,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Graham	Maynard	Saunders
Adams	Coon	Groat	McAdam	Savery
Ainsworth	Cottrell	Guenther	McCann	Smith, C.
Aspinall	Cronin	Haffner	McCarren	Smith, T.
Baker, A. B.	Davidson	Haggerty	McKenzie	Sperry
Barton	Decker	Hamilton	Mead	Stevens
Bauer	Demarest	Hughes	Mesick	Treadway
Blake	Dinehart	Husted	Miley	Upson
Blanchfield	Dinkelspiel	Kelly	Moody	Van Gorder
Blumenthal	Duffy	Kimball	Murray	Walters
Brown	Dunham	King	Newschafer	West
Bush, R. P.	Dunlap	Larmon	Pearsall	Whipple
Carson	Edwards	Little	Peck	Yates
Cheney	Endres	Loder	Rice	Young
Clark, J.	Enz	Longley	Roesch	Youngman
Clarke, C. C.	Fitts	Martin	Ryan	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 416) entitled "An act to amend chapter 91 of the Laws of 1880, entitled 'An act to enforce collection of the taxes levied in the county of Oneida,' as amended by chapter 8 of the Laws of 1881," having been announced for a third reading,

On motion of Mr. A. B. Baker, and by unanimous consent, the same was amended by striking out, in section 1, line 10, engrossed bill, the words "having the largest circulation in said city."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Connelly	Greene	Little	Ryan
Ainsworth	Coon	Groat	Loder	Saunders
Aspinall	Cottrell	Guenther	Maynard	Savery
Baker, A. B.	Cronin	Haffner	McAdam	Schaaff
Barton	Davidson	Haggerty	McCann	Sheldon
Bauer	Decker	Hamilton	McCarren	Smith, C.
Blake	Demarest	Harwood	McKenzie	Smith, T.
Blanchfield	Dinehart	Hitt	Mead	Tefft
Blumenthal	Dinkelspiel	Hornidge	Mesick	Upson
Brown	Duffy	Husted	Moody	Van Gorder

Brownell	Edwards	Kelly	Murray	Walters
Bush, R. P.	Endres	Kerrigan	Newschafer	West
Carson	Enz	Kimball	O'Neil	Whipple
Cheney	Fish	King	Pearsall	Yates
Clark, J.	Fitts	Larmon	Peck	Young
Clarke, C. C.	Gibbs	Lewis		

For the negative,

Kent

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 451) entitled "An act to amend chapter 278 of the Laws of 1888, entitled 'An act in relation to Waverly, Vanderbilt and Clinton avenues in the city of Brooklyn,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Gibbs	McAdam	Smith, C.
Ainsworth	Coon	Greene	McCann	Smith, T.
Andrus	Cottrell	Groat	McCarren	Sperry
Aspinall	Cronin	Guenther	McKenzie	Stevens
Baker, A. B.	Davidson	Haffner	McLaughlin	Sullivan
Barton	Decker	Haggerty	Mead	Tefft
Bauer	Demarest	Hayes	Miley	Treadway
Blake	Dinehart	Husted	Moody	Upson
Blanchfield	Duffy	Kelly	Murray	Van Gorder
Blumenthal	Dunlap	King	Nixon	Walters
Brown	Edwards	Lane	Pearsall	West
Bush, R. P.	Endres	Larmon	Peck	Whipple
Carson	Enz	Little	Roesch	Yates
Cheney	Fish	Loder	Ryan	Young
Clark, J.	Fitts	Longley	Saunders	Youngman
Clarke, C. C.	Gallup	Maynard	Schaaff	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 543) entitled "An act to amend section 8 of article 1 of title 1 of chapter 8 of part 2 of the Revised Statutes, relating to the solemnization of marriage," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 79 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Clark, J.	Groat	McAdam	Sheldon
Ainsworth	Coon	Guenther	McKenzie	Smith, T.
Andrus	Cottrell	Haffner	Mead	Sperry
Aspinall	Cronin	Hagan	Mesick	Stevens
Baker, A. B.	Davidson	Harwood	Miley	Sullivan
Baker, A. H.	Decker	Husted	Moody	Tefft
Barton	Demarest	Kelly	Mullaney	Towne
Bauer	Dinehart	Kent	Murray	Treadway
Blake	Duffy	Kimball	Newschafer	Van Gorder
Blanchfield	Dunham	King	O'Neil	Walters
Brown	Dunlap	Lane	Pearsall	West
Brownell	Endres	Larmon	Rice	Whipple
Bush, G. H.	Fish	Little	Roesch	Yates
Bush, R. P.	Fitts	Longley	Ryan	Young
Carson	Gibbs	Martin	Saunders	Youngman
Cheney	Graham	Maynard	Schaaff	

For the negative,

Connelly

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Stevens offered for the consideration of the House, a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 94, entitled "An act making an appropriation for the Northern New York Institution for Deaf-Mutes," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate bill (No. 230) entitled "An act to extend the time for the payment of the capital stock of corporations organized since May 1, 1884, as limited liability companies, under chapter 611, Laws of 1875, entitled 'An act to provide for the organization and regulation of certain business corporations,' and for taking proceedings to pay up or reduce their capital stock" (Rec. No. 83), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Graham	McCann	Saunders
Ainsworth	Cottrell	Groat	McKenzie	Savery
Baker, A. B.	Cronin	Guenther	McLaughlin	Schaaff

Baker, A. H.	Dante	Haffner	Maynard	Ryan
Barton	Davidson	Hamilton	McMaster	Smith, T.
Bauer	Decker	Hitt	Mead	Sullivan
Blake	Demarest	Hornidge	Mullaney	Tefft
Blumenthal	Dinehart	Hughes	Murray	Towne
Brown	Dinkelspiel	Husted	Newschafer	Van Gorder
Brownell	Duffy	Kelly	Nixon	Walters
Bush, G. H.	Dunham	Kent	O'Neil	West
Bush, R. P.	Dunlap	Kerrigan	Pearsall	Whipple
Cheney	Edwards	Kimball	Peck	Yates
Clark, J.	Endres	Larmon	Rhodes	Yetman
Clarke, C. C.	Fitts	Little	Rice	Young
Comstock	Gibbs	Longley	Roesch	Youngman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 576) entitled "An act to regulate the rate of wages on all public works in this State, and to define what laborers shall be employed thereon," having been announced for a third reading,

Mr. Fish moved to amend as follows:

Add at the end of section 1 the words "Preference shall be given in all cases to soldiers and sailors who served in the army of the United States who received honorable discharges."

Mr. McCann moved to amend the amendment of Mr. Fish by adding the words "and in all cases the members of the New York '400' shall have exceptional preference."

Mr. Sheehan raised the point of order that the amendment was not germane to the bill.

Mr. Speaker decided the point of order well taken.

The question recurring upon the motion of Mr. Fish, to amend,

Mr. Husted called for the ayes and noes, which were ordered.

The hour of 6 o'clock having arrived, the House adjourned.

THURSDAY, MAY 9, 1889.

The House met pursuant to adjournment.

Prayer by Rev. Albert Foster.

On motion of Mr. Yates, the journal of yesterday was approved without being read.

The Senate returned the concurrent resolution recalling from the Governor for the purpose of amendment Assembly bill No. 94, entitled "An act making an appropriation for the Northern New York Institution for Deaf-mutes," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Indefinite leave of absence was granted to Messrs. Le Roy and Upson.

The privileges of the floor were extended to Hon. P. Norton, John C. Hogeboom and M. J. Coffee.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, May 9, 1889.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly herewith is returned for amendment Assembly bill No. 94, entitled "An act making an appropriation for the Northern New York Institution for Deaf-Mutes."

DAVID B. HILL.

Mr. Stevens offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill No. 94, entitled "An act making an appropriation for the completion of the Northern New York Institution for Deaf-Mutes," be returned to the Governor without amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Demarest offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 530, entitled "An act to regulate the powers of the United States Harvey Way Construction Company," now on the order of third reading, be read the third time on May ninth.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Cronin offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 254, entitled "An act to amend chapter 366 of the Laws of 1886, entitled 'An act to amend chapter 506 of the Laws of 1884, entitled An act to authorize Long Island City to create a fund to liquidate annual arrearages,'" now on the order of third reading, be read the third time on Friday morning at 12 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate returned the bill entitled "An act to amend an act supplementary thereto and amendatory of chapter 426 of the Laws of 1847, entitled 'An act to provide for the incorporation of villages,' and the various acts amendatory thereof so far as the same relate to the village of Niagara Falls" (No. 517), with a message that they have concurred in the passage of the same with the following amendments:

Section 1, engrossed bill, strike out all of subdivisions 1 and 2, and make subdivisions 3, 4 and 5, read 1, 2 and 3 respectively.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Guenther	Longley	Schaaff
Adams	Coon	Haffner	Maynard	Sheehan
Ainsworth	Cottrell	Hagan	McAdam	Sheldon
Andrus	Cronin	Haggerty	McCarren	Stevens
Aspinall	Curtis	Hamilton	McMaster	Sullivan
Baker, A. B.	Davidson	Harwood	Mead	Tefft
Bauer	Decker	Hitt	Mesick	Towne
Blake	Demarest	Hughes	Miller	Upson
Blanchfield	Dinehart	Kerrigan	Moody	Van Gorder
Blumenthal	Dinkelspiel	Kimball	Nixon	Walters
Brownell	Edwards	King	Pearsall	West
Carson	Endres	Lane	Peck	Whipple
Cheney	Enz	Larmon	Rhodes	Yates
Clark, J.	Fitts	Lewis	Rice	Yetman
Clarke, C. C.	Gibbs	Little	Saunders	Young
Comstock	Groat	Loder	Saxton	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act making an appropriation to perpetuate the memory of the valor of the defenders of Fort Defiance, the middle fort of the Schoharie valley, in repelling the attack of Sir John Johnson, October 17, 1780" (No. 872), with a message that they have concurred in the passage of the same, with the following amendments:

Section 3, line 3, engrossed bill, after the word "monument" insert the words "or memorial tablet."

Section 5, line 2, strike out the word "ten" and insert the word "seven" in place thereof.

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Haffner	McCarren	Sheldon
Adams	Cottrell	Hagan	McMaster	Smith, M. A.
Andrus	Cronin	Hamilton	Mead	Smith, T.
Aspinall	Crosby	Harwood	Mesick	Stevens
Baker, A. B.	Curtis	Hitt	Moody	Strassburg
Bauer	Davidson	Hughes	Newschafer	Sullivan
Blanchfield	Decker	Husted	Nixon	Tefft
Blumenthal	Demarest	Kerrigan	Pearsall	Upson
Brown	Edwards	Kimball	Rhodes	Van Gorder
Brownell	Endres	King	Ryan	Walters

Carson	Fish	Larmon	Saunders	West
Cheney	Fitts	Little	Savery	Whipple
Clark, J.	Gallup	Loder	Saxton	Yates
Clarke, C. C.	Gibbs	Martin	Schaaff	Yetman
Comstock	Groat	Maynard	Sheehan	Young
Connelly	Guenther	McAdam		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate sent for concurrence the following entitled bill:

"An act in relation to the board of trustees of the Congregation Ahawath Chesed in the city of New York" (Rec. No. 341), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hagan, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading, and to be read the third time on Monday, May thirteenth.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 26, 1889. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 171, entitled "An act to legalize the acts of the St. Paul's African Methodist Episcopal church, in Morrisania, Westchester county, and to correct certain defects in its articles of incorporation."

DAVID B. HILL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Groat	McCarren	Smith, M. A.
Andrus	Crosby	Guenther	McLaughlin	Smith, T.
Aspinall	Curtis	Haffner	McMaster	Sperry
Bauer	Dante	Hagan	Mead	Stevens
Blake	Decker	Hamilton	Moody	Strassburg
Blanchfield	Demarest	Harwood	Mullaney	Sullivan
Blumenthal	Dinkelspiel	Hitt	Newschafer	Tefft
Brownell	Dunlap	Hughes	Nixon	Towne
Carson	Edwards	Kent	Pearsall	Van Gorder
Cheney	Endres	Kerrigan	Peck	Walters
Clark, J.	Enz	Kimball	Rhodes	West
Clarke, C. C.	Fish	King	Ryan	Whipple
Comstock	Fitts	Little	Saunders	Yates
Connelly	Flaherty	Loder	Schaaff	Yetman
Coon	Gallup	Maynard	Sheehan	Young
Cottrell	Gibbs	McAdam	Sheldon	

The vote upon the final passage of said bill having been reconsidered, On motion of Mr. C. C. Clarke, and by unanimous consent, the same was amended as follows:

Amend section 1 so as to read as follows:

SECTION 1. The certificate of incorporation of the religious society known as the St. Paul's African Methodist Episcopal Church, in Morrisania, Westchester county, heretofore filed in the office of the county clerk of said county, shall have the same force and effect as if a seal had been added to each of the signatures thereto, at the time such signatures were made, and as if the copy of such certificate recorded in said office had at the time of the recording thereof, indicated that such seals had been so affixed to such certificate, and all conveyances of real estate made by said society, since such filing or recording of such certificate shall be as valid and effectual, and be of the same force and effect as if said certificate had been so sealed at the time it was executed, and as if said copy so recorded had, from the time such record was made, indicated that such original certificate had been duly sealed as aforesaid.

Amend the title so as to read as follows:

"An act to legalize and confirm the incorporation of the religious society known as St. Paul's African Methodist Episcopal Church, in Morrisania, Westchester county, and conveyances heretofore made by said society."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 77 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Comstock	Groat	Mesick	Smith, T.
Ainsworth	Coon	Haffner	Moody	Sperry
Andrus	Cottrell	Hamilton	Newschafer	Stevens
Aspinall	Cronin	Harwood	Nixon	Strassburg
Baker, A. B.	Crosby	Hitt	Pearsall	Sullivan
Bauer	Curtis	Hughes	Peck	Tefft
Blake	Davidson	Husted	Rhodes	Towne
Blanchfield	Decker	Kimball	Rice	Townsend
Blumenthal	Dinkelspiel	King	Ryan	Van Gorder
Brown	Dunlap	Little	Saunders	Walters
Brownell	Edwards	Loder	Savery	West
Bush, R. P.	Endres	McAdam	Saxton	Whipple
Carson	Fitts	McLaughlin	Schaaff	Yates
Cheney	Gallup	McMaster	Sheehan	Yetman
Clark, J.	Gibbs	Mead	Sheldon	Young
Clarke, C. C.	Greene			

For the negative,

Kent

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, May 7, 1889.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 664, entitled "An act to authorize the comptroller of the city of New York to examine the claim of John J. Clarke, and to audit and allow the same."

DAVID B. HILL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Flaherty	McAdam	Smith, T.
Adams	Coon	Greene	McCarren	Stevens
Ainsworth	Cottrell	Groat	Mead	Strassburg
Andrus	Cronin	Guenther	Mesick	Sullivan
Aspinall	Crosby	Haffner	Moody	Tefft
Bauer	Curtis	Hitt	Newschafer	Towne
Blake	Dante	Hughes	Nixon	Townsend
Blanchfield	Davidson	Husted	Pearsall	Upson
Blumenthal	Decker	Kelly	Peck	Van Gorder
Brown	Demarest	Kent	Rhodes	Walters
Brownell	Dinkelspiel	Kerrigan	Rice	West
Bush, R. P.	Dunlap	Kimball	Ryan	Whipple
Carson	Edwards	Little	Saunders	Yates
Cheney	Endres	Loder	Savery	Yetman
Clark, J.	Enz	Longley	Schaaff	Young
Clarke, C. C.	Fitts	Maynard	Sheldon	

The vote upon the final passage of said bill having been reconsidered, On motion of Mr. C. C. Clarke, and by unanimous consent, the same was amended as follows:

Amend the following lines in section 1 by adding thereto as follows:

Section 1, line 5, after the word "shall" insert the word "satisfactorily"; after the word "were" insert the word "actually"; after the word "rendered" add the words "and that said claim is founded in equity and justice."

Same section, line 7, after the word "law," insert the words "for such services."

Same section, line 11, after the word "audited" insert the words "and appropriated."

Amend the title by adding thereto the words "and pay the amount justly due."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Guenther	McCarren	Stevens
Adams	Coon	Haffner	Mead	Strassburg
Ainsworth	Cottrell	Harwood	Mesick	Sullivan
Andrus	Cronin	Hayes	Moody	Tefft
Aspinall	Curtis	Hitt	Newschafer	Towne
Baker, A. B.	Davidson	Kelly	Nixon	Townsend
Bauer	Decker	Kent	Pearsall	Treadway
Blake	Demarest	Kerrigan	Peck	Upson
Blanchfield	Dunlap	Kimball	Rhodes	Van Gorder
Blumenthal	Endres	Lane	Rice	Walters
Brown	Enz	Larmon	Ryan	West
Bush, R. P.	Fish	Little	Saunders	Whipple
Carson	Fitts	Loder	Savery	Yates
Cheney	Flaherty	Longley	Saxton	Yetman
Clark, J.	Gibbs	Martin	Schaaff	Young
Clarke, C. C.	Groat	McAdam	Smith, T.	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate returned the bill entitled "An act to provide for the erection of a State armory at the village of Penn Yan, in the town of Milo, Yates county, N. Y., and making an appropriation therefor" (No. 455), with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, lines 7 and 8, strike out the words "lockers for the proper keeping of uniforms and equipments."

Same section, line 19, after the word "fixtures" insert the words "gas, water and waste pipes."

Same section, line 20, after the word "sewerage" insert the words "and water closets and rifle range."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Guenther	Mesick	Sperry
Adams	Cottrell	Haffner	Moody	Stevens
Ainsworth	Crosby	Hagan	Mullaney	Strassburg
Andrus	Curtis	Harwood	Newschafer	Sullivan

Baker, A. B.	Davidson	Hitt	Nixon	Towne
Bauer	Decker	Husted	Pearsall	Townsend
Blake	Demarest	Kent	Peck	Treadway
Blanchfield	Dinkelspiel	Kerrigan	Rhodes	Upton
Blumenthal	Dunlap	Kimball	Rice	Van Gorder
Brownell	Endres	Lane	Ryan	Walters
Carson	Enz	Little	Savery	West
Cheney	Fish	Loder	Saxton	Whipple
Clark, J.	Fitts	Longley	Sheehan	Yates
Clarke, C. C.	Flaherty	Martin	Sheldon	Yetman
Comstock	Gibbs	McAdam	Smith, M. A.	Young
Connelly	Groat	Mead	Smith, T.	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

Mr. Husted, from the special committee on Rules, appointed by the Legislature of 1888, presented a report; which was laid upon the table and ordered printed.

(See Doc. No. 103.)

On motion of Mr. Speaker, and by unanimous consent, Senate bill No. 300, entitled "An act to provide for the completion of the inclosure of Morningside park, and of the bays and approaches to, and of the sidewalks bounding said park, in the city of New York" (Rec. No. 117), now on the order of third reading, was ordered read the third time to-day.

The Senate returned the bill entitled "An act to provide for the erection of an armory in Malone village, in the county of Franklin, and making an appropriation therefor" (No. 873), with a message that they have concurred in the passage of the same with the following amendments:

Section 1, line 10, after the word "specification" insert the words "and the necessary expenses of the commissioners."

Same section, line 12, after the word "for" insert the word "all."

Same section, line 13, strike out the words "all furniture."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Haffner	Mead	Smith, T.
Ainsworth	Cottrell	Hamilton	Moody	Sperry
Andrus	Curtis	Harwood	Nixon	Stevens
Baker, A. B.	Davidson	Hitt	Pearsall	Strassburg
Baker, A. H.	Decker	Husted	Peck	Sullivan
Bauer	Demarest	Kelly	Rhodes	Towne
Blake	Dinkelspiel	Kent	Rice	Townsend
Blanchfield	Endres	Kimball	Ryan	Treadway

Blumenthal	Enz	King	Saunders	Van Gorder
Brown	Fish	Lane	Savery	Walters
Brownell	Fitts	Larmon	Saxton	West
Carson	Flaherty	Little	Schaaff	Whipple
Clark, J.	Gibbs	Loder	Sheehan	Yates
Clarke, C. C.	Graham	Longley	Sheldon	Yetman
Comstock	Groat	Martin	Smith, M. A.	Young
Connelly	Guenther	McAdam		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 3, 1889.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 86, entitled "An act to authorize the construction of sewers in the village of Tonawanda, county of Erie, and to repeal chapter 229 of the Laws of 1886, entitled 'An act to authorize the construction of sewers in the village of Tonawanda, in the town of Tonawanda, county of Erie and State of New York.'"

DAVID B. HILL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Greene	Longley	Schaaff
Ainsworth	Cottrell	Groat	McAdam	Sheehan
Andrus	Curtis	Guenther	McKenzie	Sheldon
Baker, A. B.	Davidson	Haffner	McMaster	Smith, M. A.
Baker, A. H.	Decker	Haggerty	Mead	Smith, T.
Bauer	Demarest	Hamilton	Moody	Sperry
Blanchfield	Dinkelspiel	Hitt	Mullaney	Strassburg
Blumenthal	Donaldson	Husted	Nixon	Towne
Brown	Dunlap	Kelly	Pearsall	Townsend
Brownell	Edwards	Kent	Peck	Upson
Carson	Endres	Kimball	Rhodes	Walters
Cheney	Enz	King	Rice	West
Clark, J.	Fish	Lane	Ryan	Whipple
Clarke, C. C.	Fitts	Larmon	Saunders	Yates
Comstock	Flaherty	Little	Savery	Yetman
Connelly	Graham	Loder	Saxton	Young

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. Guenther, and by unanimous consent, the same was amended as follows:

Section 1, printed bill, strike out all up to and including the word "Tonawanda" in line 5, and insert the words "The board of trustees of the village of Tonawanda, Erie county, shall on or before June 30, 1889, by resolution, duly appoint five resident citizens of said town sewer commissioners, and who are hereby authorized and empowered to lay out and construct sewers in said village as in this act provided."

Section 3, line 1, strike out all after the word "construction" up to and including the word "act" in line 2.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Haffner	McCarren	Sheehan
Adams	Davidson	Haggerty	Mead	Sheldon
Ainsworth	Decker	Hamilton	Miley	Smith, M. A.
Andrus	Demarest	Harwood	Miller	Smith, T.
Baker, A. B.	Dinehart	Hitt	Moffitt	Stevens
Baker, A. H.	Dinkelspiel	Husted	Moody	Strassburg
Bauer	Dunlap	Kerrigan	Newschafer	Tefft
Blanchfield	Edwards	Kimball	Nixon	Towne
Brown	Endres	King	O'Neil	Townsend
Brownell	Enz	Lane	Pearsall	Upton
Carson	Fish	Larmon	Peck	Van Gorder
Cheney	Fitts	Little	Rice	Walters
Clark, J.	Flaherty	Loder	Ryan	West
Clarke, C. C.	Gibbs	Longley	Saunders	Whipple
Comstock	Graham	Martin	Savery	Yates
Connelly	Groat	Maynard	Saxton	Yetman
Cottrell	Guenther	McAdam	Schaaff	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein, as amended.

The Senate returned the bill entitled "An act to secure more fully the independence of electors at public elections, to enforce the secrecy of the ballot and to provide for the printing and distribution of ballots at public expense" (No. 728), with a message that they have concurred in the passage of the same, as amended, with the following further amendments:

Section 22, line 3, engrossed bill, strike out the word "at" and insert "a."

Section 16, line 21, strike out the words "one inch in width."

Same section, line 22, after the words "which shall be" insert the words "one inch in width and which shall be."

Section 24, line 3, change the word "booth" to "booths."

By unanimous consent,

The question recurring upon concurring in the further amendments,

Mr. Sheehan moved to further amend as follows:

Section 21, line 11, engrossed bill, after the word "persons" add the words "of opposite politics."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Sheehan, and it was determined in the negative.

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 70 }
{ NOES 33 }

Those who voted in the affirmative, were

Acker	Comstock	Fitts	Lodier	Sheldon
Adams	Coon	Flaherty	Maynard	Sperry
Ainsworth	Cottrell	Gallup	McMaster	Stevens
Andrus	Crosby	Gibbs	Mead	Tefft
Aspinall	Curtis	Groat	Mesick	Towne
Baker, A. B.	Dante	Hamilton	Moffitt	Treadway
Baker, A. H.	Davidson	Hughes	Moody	Upton
Barton	Decker	Husted	Nixon	Van Gorder
Bauer	Dinehart	Kimball	Pearsall	Walters
Brown	Donaldson	King	Peck	West
Brownell	Dunlap	Lane	Rhodes	Whipple
Carson	Edwards	Larmon	Saunders	Yates
Cheney	Enz	Lewis	Savery	Youngman
Clark, J.	Fish	Little	Saxton	Speaker

Those who voted in the negative, were

Blake	Duffy	Kent	Miller	Sheehan
Blumenthal	Endres	Kerrigan	Newschafer	Smith, T.
Bush, R. P.	Graham	Martin	O'Neil	Strassburg
Connolly	Hagan	McCann	Roesch	Sullivan
Cronin	Haggerty	McCarren	Ryan	Townsend
Demarest	Hitt	McLaughlin	Schaaff	Young
Dinkelspiel	Hornidge	Miley		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their further amendments.

The Senate returned the bill entitled "An act to provide for the construction of a swing or lift-bridge over the Erie canal on Clinton street in the city of Syracuse, in the place of the present bridge at that point, and making an appropriation therefor," with a message that they have concurred in the passage of the same, with the following amendment.

Section 1, line 4, after the word "swing" insert the words "or lift."

By unanimous consent.

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Haffner	McCann	Saxton
Adams	Davidson	Hagan	McCarren	Sheehan
Ainsworth	Decker	Haggerty	McMaster	Sheldon
Andrus	Demarest	Hamilton	Mead	Smith, T.
Baker, A. B.	Dinehart	Hitt	Miley	Sperry
Barton	Dinkelspiel	Hughes	Miller	Stevens
Bauer	Donaldson	Husted	Moffitt	Strassburg
Blake	Dunlap	Kent	Moody	Tefft
Brown	Edwards	Kimball	Newschafer	Townsend
Brownell	Endres	Lane	Nixon	Treadway
Carson	Enz	Larmon	O'Neil	Upson
Cheney	Fish	Lewis	Pearsall	Van Gorder
Clarke, C. C.	Fitts	Little	Peck	Walters
Comstock	Gallup	Loder	Ryan	West
Coon	Gibbs	Longley	Saunders	Whipple
Cottrell	Groat	Martin	Savery	Yetman
Cronin	Guenther	McAdam		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That Senate bill No. 500, entitled "An act authorizing and empowering medical schools to acquire property" (Rec. No. 212), be returned to the Governor without amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill entitled "An act in relation to railroad corporations" (No 1050), with a message that they have concurred in the passage of the same," with the following amendments:

Section 1, line 4, engrossed bill, after the word "the," first occurring, insert the words "Lackawanna, Pittsburgh, and Northeastern."

Same section, line 7, strike out the "wholly within" and insert in place thereof the word "in."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Davidson	Hagan	Maynard	Saxton
Adams	Decker	Haggerty	McCann	Schaaß
Ainsworth	Demarest	Hamilton	McCarren	Sheldon

Aspinall	Dinehart	Hitt	McKenzie	Sperry
Baker, A. B.	Dinkelspiel	Hornidge	McMaster	Strassburg
Baker, A. H.	Donaldson	Hughes	Mead	Sullivan
Barton	Duffy	Kerrigan	Mesick	Tefft
Bauer	Dunlap	Kimball	Miller	Towne
Blanchfield	Edwards	King	Moffitt	Treadway
Brownell	Endres	Lane	Moody	Upton
Carson	Fitts	Larmon	O'Neil	Van Gorder
Cheney	Gibbs	Lewis	Pearsall	Walters
Clarke, C. C.	Graham	Little	Peck	West
Comstock	Greene	Loder	Rhodes	Yates
Connelly	Groat	Longley	Saunders	Yetman
Cronin	Guenther	Martin	Savery	Youngman
Curtis	Haffner			

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in their amendments.

The Senate sent for concurrence the following entitled bills:

"An act in relation to fraternal beneficiary societies, orders or associations" (Rec. No. 329), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Endres, and by unanimous consent, said bill was substituted for Assembly bill No. 846, now on the order of third reading.

"An act further to amend chapter 26 of the Laws of 1885, entitled "An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city" (Rec. No. 330), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cheney, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Haffner	Loder	Schaaff
Adams	Curtis	Hagan	Martin	Sheehan
Ainsworth	Decker	Haggerty	Mase	Sheldon
Andrus	Demarest	Hamilton	McAdam	Smith, M. A.
Aspinall	Donaldson	Harwood	McCarren	Smith, T.
Barton	Dunham	Hughes	McLaughlin	Sullivan
Bauer	Dunlap	Husted	Mesick	Tefft
Blumenthal	Edwards	Kelly	Miley	Townsend
Brown	Endres	Rent	Moody	Treadway
Brownell	Enz	Kerrigan	Newschafer	Upton
Carson	Fitts	Kimball	O'Neil	Van Gorder
Clark, J.	Gallup	King	Pearsall	Whipple
Clarke, C. C.	Gibbs	Lane	Peck	Yates

Comstock	Graham	Larmon	Ryan	Yetman
Connelly	Greene	Lewis	Savery	Young
Coon	Guenther	Little	Saxton	Youngman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act making a reappropriation of money for the improvement of Orchard creek and canal feeder, and making an additional appropriation therefor" (Rec. No. 331), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Edwards, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and to be read the third time on Tuesday, May fourteenth.

"An act to authorize and enable the legal representatives and trustees appointed by or under the will of Sarah M. Donaldson, deceased, to convey and release to Patrick Mullin, all the estate now held in trust for him by them, in certain real property situated in the city of New York" (Rec. No. 332), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. McCarren, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and to be read the third time on Tuesday, May fourteenth.

"An act for the better protection of policy or certificate holders in coöperative or assessment life and casualty insurance associations and societies" (Rec. No. 333), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act to amend chapter 461 of the Laws of 1877, entitled 'An act to confer the powers of harbormasters on the police patrolmen detailed to certain docks and piers in said city by the board of commissioners of the police and excise of the city of Brooklyn,' as amended by chapter 151 of the Laws of 1880, as amended by chapter 142 of the Laws of 1885" (Rec. No. 334), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Aspinall, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and to be read the third time on Tuesday, May fourteenth.

"An act for the removal of causes of malaria and danger to the public health, from a portion of the abandoned Genesee Valley canal, making an appropriation for such purpose, and reappropriating the sum unexpended, appropriated for the purposes mentioned in chapter 593, Laws of 1881" (Rec. No. 335), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Loder, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and to be read the third time on Tuesday, May fourteenth.

"An act to amend chapter 70 of the Laws of 1883, entitled 'An act to incorporate the German Young Men's Association, of the city of Buffalo'" (Rec. No. 336), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Andrus, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and to be read on Monday, May thirteenth.

"An act to authorize the city of Utica to borrow and disburse money for the purpose of paying the deficiency arising from the construction of an iron pipe sewer or culvert under the Erie canal" (Rec. No. 337), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Kent, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Hagan	McCarren	Smith, T.
Ainsworth	Decker	Haggerty	McMaster	Sperry
Baker, A. B.	Demarest	Hughes	Miley	Stevens
Baker, A. H.	Dinehart	Husted	Moffitt	Sullivan
Blake	Donaldson	Kent	Moody	Tefft
Blanchfield	Dunham	Kimball	Newschafer	Towne
Brown	Dunlap	Lane	O'Neil	Townsend
Brownell	Edwards	Larmon	Pearsall	Upton
Bush, R. P.	Endres	Lewis	Peck	Van Gorder
Carson	Enz	Little	Rhodes	Walters
Clark, J.	Fitts	Loder	Roesch	West
Clarke, C. C.	Gibbs	Longley	Saunders	Whipple
Comstock	Greene	Martin	Savery	Yates
Connelly	Groat	Maynard	Saxton	Yetman
Coon	Guenther	McAdam	Sheldon	Youngman
Cottrell	Haffner	McCann	Smith, M. A.	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to amend chapter 92 of the Laws of 1868, entitled 'An act to authorize the excavation, construction and maintenance of a canal and basin, with piers and wharves, in Canandaigua lake at the foot of Main street in the village of Canandaigua, and to authorize the trustees thereof to raise money by bond and by tax for that purpose, and to prescribe regulations for the use thereof, and to fix and enforce the penalties for the violation of such regulations'" (Rec. No. 338), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Moody, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
 { NOES 1 }

Those who voted in the affirmative, were

Acker	Connelly	Graham	McCarren	Smith, M. A.
Ainsworth	Coon	Greene	Mesick	Smith, T.
Baker, A. B.	Cottrell	Groat	Miley	Sperry
Baker, A. H.	Curtis	Guenther	Moffitt	Sullivan
Barton	Davidson	Haffner	Moody	Towne
Bauer	Decker	Hagan	Mullaney	Townsend
Blake	Demarest	Haggerty	Murray	Treadway
Blanchfield	Dinehart	Hughes	Newschafer	Upson
Blumenthal	Dinkelspiel	Kelly	O'Neil	Van Gorder
Brownell	Donaldson	Kerrigan	Rhodes	Walters
Bush, R. P.	Duffy	Larmon	Roesch	West
Carson	Dunlap	Lewis	Saunders	Whipple
Cheney	Enz	Little	Savery	Yates
Clark, J.	Fish	Loder	Saxton	Youngman
Clarke, C. C.	Fitts	Martin	Schaaff	Speaker
Comstock	Gibbs	McCann	Sheldon	

For the negative,

Crosby

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' with reference to the fire marshal" (Rec. No. 339), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to authorize and empower the Commissioners of the Land Office, managers of the State Industrial School, to grant to the city of Rochester a right of way for a public street through the lands of the State appurtenant to the State Industrial School at Rochester" (Rec. No. 340), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Loder, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and to be read the third time on May fourteenth.

"An act to amend section 3 of title 4 of chapter 125 of the Laws of 1861, entitled 'An act to consolidate and amend the several acts relating to the village of Watkins, and to enlarge the powers of the corporation of said village,' passed April 3, 1861, as amended by chapter 224 of the Laws of 1872, as amended by chapter 117 of the Laws of 1877" (Rec. No. 342), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Speaker, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Hornidge	McLaughlin	Sheldon
Ainsworth	Demarest	Hughes	Mesick	Smith, M. A.
Andrus	Dinehart	Husted	Miley	Smith, T.
Baker, A. H.	Dinkelspiel	Kent	Moody	Stevens
Barton	Donaldson	Kerrigan	Mullaney	Sullivan
Bauer	Duffy	Kimball	Murray	Tefft
Blumenthal	Dunlap	King	Newschafer	Towne
Bush, R. P.	Edwards	Lane	Nixon	Townsend
Carson	Endres	Larmon	O'Neil	Treadway
Clark, J.	Enz	Lewis	Pearsall	Upson
Clarke, C. C.	Fitts	Little	Peck	Van Gorder
Comstock	Flaherty	Loder	Rhodes	Walters
Coon	Graham	Longley	Rice	West
Cottrell	Greene	Martin	Roesch	Whipple
Cronin	Groat	Maynard	Saunders	Yates
Crosby	Guenther	McAdam	Savery	Youngman
Curtis	Haffner	McCann	Saxton	Speaker
Davidson	Haggerty	McCarren	Schaff	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to authorize and direct the recording of certain notices of pendency of actions, and to prepare suitable indices to said records" (Rec. 343), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Whipple, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Fitts	Loder	Sheldon
Ainsworth	Coon	Gibbs	Longley	Smith, M. A.
Andrus	Cottrell	Graham	Maynard	Smith, T.
Aspinall	Cronin	Greene	McAdam	Sperry
Baker, A. B.	Crosby	Groat	McCarren	Sullivan
Bauer	Curtis	Haffner	McLaughlin	Towne
Blake	Davidson	Hagan	Murray	Townsend
Blanchfield	Decker	Hamilton	Newschafer	Treadway
Blumenthal	Demarest	Hughes	O'Neil	Van Gorder
Brown	Dinehart	Husted	Pearsall	Walters

Brownell	Dinkelspiel	Kerrigan	Peck	West
Carson	Donaldson	Kimball	Rhodes	Whipple
Cheney	Duffy	King	Roesch	Yates
Clark, J.	Dunlap	Larmon	Ryan	Young
Clarke, C. C.	Endres	Lewis	Saunders	Youngman
Comstock	Fish	Little	Schaaff	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to amend chapter 545 of the Laws of 1888, entitled 'An act to provide lectures for workingmen and women' (Rec. No. 344), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Sullivan, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and to be read the third time May fourteenth.

"An act to amend section 3 of chapter 542 of the Laws of 1880, entitled 'An act to provide for raising taxes for the use of the State upon certain corporations, joint-stock companies and associations,' as amended by chapter 361 of the Laws of 1881, and subsequent acts" (Rec. No. 345), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Dunlap, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

"An act to prevent the sale and delivery of adulterated wheat in the markets of this State" (Rec. No. 346), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Curtis, and by unanimous consent, said bill was substituted for Assembly bill No. 1231, now on the order of third reading, and the same ordered read the third time May tenth.

"An act to amend section 64 of chapter 299 of the Laws of 1883, entitled 'An act to provide for the enrollment of the militia, for the organization and government of the National Guard of the State of New York and for the public defense, and entitled the Military Code,' as amended by chapter 412 of the Laws of 1886" (Rec. No. 347), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Yates, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading, and to be read the third time May tenth.

"An act to amend chapter 544 of the Laws of 1887, entitled 'An act to amend an act entitled 'An act to provide for the incorporation of villages,' passed December 7, 1847, and the several acts amendatory thereof, so far as the same relates to the village of Mount Vernon, in the county of Westchester, and to declare, enlarge and define the powers and duties of the officers of said village, and to confirm and extend the powers of the corporation of said village" (Rec. No. 348), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Rhodes, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading, and to be read the third time May thirteenth.

"An act to legalize, ratify and confirm a vote of the electors of the town of Bedford, in the county of Westchester, cast at the annual town meeting held in said town on the 26th day of March, 1889, appropriating the sum of \$800 for the purpose of aiding in the repair of the Bedford court-house" (Rec. No. 349), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

"An act to authorize the Superintendent of Public Works of the State of New York to protect the highway along the west bank of the Genesee river at Rochester from injury because of the erection and maintenance of the State dam at the head of the Genesee river feeder dam to the Erie canal, making an appropriation therefor, and reappropriating money heretofore appropriated for that purpose" (Rec. No. 350), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Bauer, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and to be read the third time May fifteenth.

"An act in relation to Long Island Live-Stock Fair Association, limited" (Rec. No. 351), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cronin, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

"An act to amend chapter 53 of the Laws of 1879, entitled 'An act to revise the charter of the city of Auburn'" (Rec. No. 352), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Savery, and by unanimous consent, said bill was substituted for Assembly bill Int. No. 1233, now on the order of third reading, and ordered to be read the third time on May tenth.

"An act to fix the salary of the marshal and messenger of the Commissioners of Claims (Rec. No. 353), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Speaker, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Greene	McAdam	Saunders
Adams	Cronin	Hagan	McCann	Savéry
Ainsworth	Curtis	Haggerty	McCarren	Saxton
Andrus	Dante	Harwood	McMaster	Schaaff
Baker, A. B.	Davidson	Hitt	Mesick	Smith, M. A
Bauer	Decker	Hughes	Moffitt	Smith, T.
Blake	Demarest	Husted	Moody	Strassburg

Blanchfield	Dinehart	Kent	Mullaney	Sullivan
Blumenthal	Dinkelspiel	Kimball	Murray	Van Gorder
Brown	Dunlap	King	Newschafer	Walters
Brownell	Edwards	Larmon	Nixon	West
Bush, R. P.	Endres	Lewis	O'Neil	Whipple
Clark, J.	Enz	Little	Pearsall	Yates
Clarke, C. C.	Fitts	Loder	Rhodes	Yetman
Comstock	Gallup	Longley	Rice	Young
Connelly	Gibbs	Martin	Roesch	Youngman
Coon	Graham	Maynard		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to amend sections 649, 655 and 677 of the Code of Civil Procedure, relating to attachments" (Rec. No. 354), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Saxton, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and committed to the committee on the judiciary, retaining its place on the order of third reading.

"An act to incorporate Delaware Tribe No. 44 of the Improved Order of Red Men of Eldred, Sullivan county, New York" (Rec. No. 355), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Greene, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading, and to be read the third time May thirteenth.

"An act in relation to the charges for the arrest, trial, transportation and board of persons charged or convicted of a misdemeanor or a crime less than that of felony, including cases of vagrancy" (Rec. No. 356), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Rhodes, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and committed to the committee on the judiciary, retaining its place on the order of third reading.

"An act to amend sections 726 and 727 of the Code of Criminal Procedure, relative to disposing of fines by courts of special sessions" (Rec. No. 357), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Greene, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and committed to the committee on the judiciary, retaining its place on the order of third reading.

"An act to amend section 2717 of the Code of Civil Procedure, with reference to the payment of creditors and legatees" (Rec. No. 358), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Saxton, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading and committed to the committee on judiciary, retaining its place on the order of third reading.

The Senate sent for concurrence the following entitled bill:

"An act to revise and consolidate the laws relating to the University of the State of New York" (Rec. No. 359), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

The Senate returned the concurrent resolution returning to the Governor without amendment Assembly bill No. 94, entitled "An act making an appropriation for the Northern New York Institution for Deaf-Mutes," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Fish, from the special committee appointed to investigate certain charges in relation to the construction of the ceiling of the Assembly chamber, submitted a report.

On motion of Mr. Gibbs, said report was laid upon the table and ordered printed, and made a special order for Tuesday, May fourteenth, at 12 o'clock.

Mr. McCann, from said special committee, submitted a memorandum which was also laid upon the table, and included in the above-mentioned special order.

Mr. Gibbs moved that when the report of the special committee had been considered said committee be discharged.

Mr. Ainsworth moved to amend said motion that the committee be now discharged.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Gibbs, as amended, and it was determined in the affirmative.

Mr. Fish, from the special committee, reported a bill entitled "An act to provide for the completion of the Capitol building" (Int. No. 1240), which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. McCann, from the special committee, reported a bill entitled "An act to create the office of Commissioner of Public Buildings, and defining its powers and duties" (Int. No. 1239), which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Husted introduced a bill entitled "An act making an appropriation for certain improvements at the State Camp near Peekskill" (Int. No. 1237), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

MAY 9.]

1719

{ AYES 76 }
{ NOES 5 }

Those who voted in the affirmative, were

Acker	Curtis	Guenther	McAdam	Saxton
Ainsworth	Davidson	Haffner	McCann	Schaaff
Andrus	Decker	Hagan	McCarren	Sheehan
Baker, A. B.	Demarest	Haggerty	Mead	Sheldon
Bauer	Dinkelspiel	Hitt	Miley	Smith, M. A.
Blake	Donaldson	Hornidge	Moffitt	Smith, T.
Blanchfield	Duffy	Hughes	Moody	Stevens
Blumenthal	Dunlap	Husted	Murray	Sullivan
Brown	Edwards	Kerrigan	Newschafer	Towne
Bush, R. P.	Endres	Kimball	Nixon	Treadway
Cheney	Fish	Lane	Rhodes	Upson
Clark, J.	Fitts	Lewis	Rice	Van Gorder
Clarke, C. C.	Gibbs	Little	Roesch	Walters
Coon	Greene	Loder	Ryan	Yates
Cottrell	Groat	Longley	Saunders	Young
Cronin				

Those who voted in the negative, were

Connelly	Crosby	Martin	Mullaney	Whipple
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Also, a bill entitled "An act to amend section 44 of chapter 346 of the Laws of 1859, entitled 'An act concerning the salt springs and the manufacture of salt' (Int. No. 1238), which was read the first time, and by unanimous consent, was also read the second time, and referred to the committee on manufacture of salt.

Mr. Crosby moved to take from the table Assembly bill No. 1053, entitled "An act to further amend chapter 606 of the Laws of 1875, entitled 'An act further to provide for the construction and operation of a steam railway or railways in the counties of the State," and upon that motion called for the ayes and noes.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the negative.

{ AYES 47 }
{ NOES 59 }

Those who voted in the affirmative, were

Blake	Demarest	Hagan	Mead	Schaaff
Blanchfield	Dinkelspiel	Hamilton	Miley	Sheehan
Blumenthal	Donaldson	Harwood	Mullaney	Smith, T.
Bush, G. H.	Duffy	Hitt	Murray	Sperry
Bush, R. P.	Endres	Hornidge	Newschafer	Strassburg
Clark, C. C.	Fish	Kent	O'Neil	Sullivan
Connelly	Gallup	Kerrigan	Rhodes	Yetman
Cottrell	Gibbs	King	Roesch	Young
Cronin	Guenther	McCarren	Ryan	Youngman
Crosby	Haffner			

Those who voted in the negative, were

Acker	Coon	Hughes	Mesick	Tefft
Adams	Curtis	Husted	Moffitt	Towne
Ainsworth	Dante	Kimball	Moody	Townsend
Baker, A. B.	Davidson	Lane	Nixon	Treadway
Baker, A. H.	Decker	Larmon	Pearsall	Upson
Barton	Dinehart	Lewis	Peck	Van Gorder
Bauer	Dunlap	Little	Saunders	Walters
Brown	Enz	Loder	Savery	West
Brownell	Fitts	Longley	Saxton	Whipple
Cheney	Flaherty	Maynard	Sheldon	Yates
Clark, J.	Groat	McAdam	Smith, M. A.	Speaker
Comstock	Haggerty	McMaster	Stevens	

Mr. Cottrell moved that this House do now resolve itself into a committee of the whole upon the bill (No. 736) entitled "An act to regulate the sale of intoxicating liquors in the several counties, towns, cities and wards of this State," and upon that motion called for the ayes and noes.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

{ AYES 68 }
{ NOES 43 }

Those who voted in the affirmative, were

Acker	Crosby	Gibbs	McAdam	Smith, M. A.
Adams	Curtis	Groat	Mead	Sperry
Ainsworth	Dante	Hamilton	Mesick	Stevens
Aspinall	Davidson	Hughes	Moody	Towne
Baker, A. B.	Decker	Husted	Mullaney	Treadway
Barton	Dinehart	Kimball	Nixon	Upson
Bauer	Donaldson	King	Pearsall	Van Gorder
Brown	Dunlap	Lane	Peck	Walters
Brownell	Edwards	Larmon	Rhodes	West
Cheney	Enz	Lewis	Saunders	Whipple
Clark, J.	Fish	Little	Saxton	Yates
Comstock	Fitts	Loder	Sheldon	Youngman
Coon	Flaherty	Longley	Smith, C.	Speaker
Cottrell	Gallup	Maynard		

Those who voted in the negative, were

Blake	Dinkelspiel	Hornidge	Miley	Schaaff
Blanchfield	Duffy	Kelly	Miller	Sheehan
Blumenthal	Endres	Kent	Murray	Smith, T.
Bush, G. H.	Guenther	Kerrigan	Newschafer	Strassburg
Bush, R. P.	Haffner	Martin	O'Neil	Sullivan
Clarke, C. C.	Hagan	McCann	Rice	Tefft
Connelly	Haggerty	McCarren	Roesch	Townsend
Cronin	Harwood	McLaughlin	Ryan	Young
Demarest	Hitt	McMaster		

Mr. Sheehan moved that the House do now go into the order of reports of standing committees.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Sheehan offered for the consideration of the House a resolution, in the words following :

Resolved, That the committee on railroads be discharged from the further consideration of Senate bill No. 630, entitled "An act to further amend chapter 606 of the Laws of 1875, entitled 'An act further to provide for the construction and operation of a steam railway or railways in the counties of the State,'" and that the same be committed to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

{ AYES 47 }
{ NOES 60 }

Those who voted in the affirmative, were

Aspinall	Demarest	Hagan	King	Roesch
Blake	Dinkelspiel	Hamilton	McCarren	Schaaff
Blanchfield	Donaldson	Harwood	Mead	Sheehan
Blumenthal	Duffy	Hayes	Miley	Smith, T.
Bush, G. H.	Endres	Hitt	Mullaney	Sperry
Bush, R. P.	Fish	Hornidge	Murray	Strassburg
Clarke, C. C.	Gallup	Kelly	Newschafer	Sullivan
Connelly	Gibbs	Kent	O'Neil	Young
Cottrell	Guenther	Kerrigan	Rhodes	Youngman
Crosby	Haffner			

Those who voted in the negative, were

Acker	Coon	Haggerty	McCann	Stevens
Adams	Curtis	Hughes	McMaster	Tefft
Ainsworth	Dante	Husted	Mesick	Towne
Baker, A. B.	Davidson	Kimball	Moffitt	Townsend
Baker, A. H.	Decker	Lane	Moody	Treadway
Barton	Dinehart	Larmon	Nixon	Upson
Bauer	Dunlap	Lewis	Pearsall	Van Gorder
Brown	Edwards	Little	Peck	Walters
Brownell	Enz	Loder	Saunders	West
Cheney	Fitts	Longley	Savery	Whipple
Clark, J.	Flaherty	Maynard	Sheldon	Yates
Comstock	Groat	McAdam	Smith, M. A.	Speaker

On motion of Mr. Crosby, and by unanimous consent, the bill (No. 966) entitled "An act to promote the care and curative treatment of the pauper and indigent insane in the counties of this State, except New York, Kings and Monroe counties, and to permit said excepted counties or either of them, in accordance with the action of their respective local authorities, to avail themselves, or any one or more of them, of the provisions of this act," was ordered to be read the third time.

Said bill having been announced for a third reading,

On motion of Mr. Crosby, and by unanimous consent, the same was amended as follows:

Section 1, line 4, after the word "Comptroller" insert the words "of the State."

Same section, line 20, strike out the final "s" of the word "commissioners."

Section 4, line 23, strike out the word "appropriated" and insert in lieu thereof the word "approved."

Same section, line 29, after the word "managers" insert the words "or trustees."

Section 5, line 10, strike out the word "seven" and insert in lieu thereof the word "eight."

Section 6, line 16, strike out the word "directed" and insert in lieu thereof the word "presented."

Section 7, line 1, strike out the words "the necessary appropriation" and insert in lieu thereof the words "sufficient appropriations."

Same section, line 13, after the word "managers" insert the words "or trustees."

Section 8, line 1, after the word "buildings" strike out the word "in," and insert in lieu thereof the word "of."

Section 9, line 4, after the word "managers" insert the words "or trustees."

Section 10, line 2, after the words "of said board" insert the words "of trustees or managers."

Section 12, line 3, strike out the word "six" and insert in lieu thereof the word "four," and after the word "act" insert the words "and the appropriations made as set forth in section 7 of this act."

Same section, line 4, before the word "permitted" strike out the words "received or."

Section 13, lines 4 and 5, strike out the words "and shall also furnish an estimate of the cost of maintaining them during the ensuing year."

Same section, line 7, after the sentence ending "provisions of this act," insert the sentence "The managers of each of the State asylums shall in like manner furnish to the Comptroller, an estimate of the cost of maintaining the probable number of patients who will be inmates of the respective asylums during the same period."

Section 14, line 5, after the words "or any of them" insert the words "except as provided in the succeeding section of this act."

Section 15, line 3, strike out the word "proper" and insert in lieu thereof the word "respective."

Section 17, line 1, strike out the word "after" and insert in lieu thereof the word "where."

Same section, line 8, strike out the word "three" and insert in lieu thereof the word "four," and after the words "of this act" insert the words "and the appropriations made and certified as provided in section 7 of this act."

Mr. Nixon moved to recommit said bill to the committee on State charitable institutions, with instructions to strike out the enacting clause.

Mr. Lewis moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Nixon, and it was determined in the affirmative.

{ AYES 55 }
{ NOES 45 }

Those who voted in the affirmative, were

Adams	Comstock	Gallup	Loder	Pearsall
Ainsworth	Cronin	Graham	Martin	Rice
Baker, A. B.	Dante	Greene	Maynard	Ryan
Baker, A. H.	Davidson	Groat	McAdam	Sheldon
Barton	Decker	Guenther	McCarren	Towne
Bauer	Demarest	Harwood	Mesick	Townsend
Blake	Dinehart	Hughes	Moffitt	Treadway
Brown	Donaldson	Kent	Murray	Upton
Bush, G. H.	Dunlap	Kimball	Newschafer	Van Gorder
Cheney	Endres	Lane	Nixon	West
Clark, J.	Flaherty	Lewis	O'Neil	Whipple

Those who voted in the negative, were

Acker	Dinkelspiel	Hitt	Mead	Sperry
Andrus	Edwards	Hornidge	Miley	Stevens
Blumenthal	Enz	Husted	Moody	Strassburg
Bush, R. P.	Fish	Kerrigan	Mullaney	Sullivan
Carson	Fitts	King	Rhodes	Walters
Connelly	Haffner	Larmon	Roesch	Yates
Cottrell	Hagan	Little	Saunders	Yetman
Crosby	Hamilton	Longley	Savery	Youngman
Curtis	Hayes	McMaster	Smith, M. A.	Speaker

The Senate returned the following entitled bills with a message that they have concurred in the passage of the same:

"An act relating to life insurance companies and their agents doing business in this State." (No. 1000.)

"An act to amend chapter 58 of the Laws of 1887, entitled 'An act to revise and amend chapter 290 of the Laws of 1835, entitled An act to incorporate the village of Homer, and the several acts which revise and amend the same.'" (No. 805.)

"An act to appropriate moneys to improve and protect the navigation of the Delaware river at or near Cochection, in the county of Sullivan." (No. 1101.)

"An act to amend chapter 290 of the Laws of 1888, entitled 'An act to enable posts of the Grand Army of the Republic to take, hold and convey real and personal estate.'" (No. 721.)

"An act to provide for the erection of a mole and necessary adjuncts thereto from the dyke to the main land in front of the premises of Edward McCabe, on Houghtaling island, in the Hudson river." (No. 662.)

"An act to authorize the Superintendent of Public Works to build an embankment from the State dam to the aqueduct along the east side of the Schoharie creek at Fort Hunter, Montgomery county, for

the protection of the Erie canal, and making an appropriation therefor." (No. 571.)

"An act to reappropriate the unexpended surplus of former appropriations for the payment of the canal awards of the Board of Claims and for expenses connected therewith." (No. 295.)

"An act to regulate the compensation of the board of supervisors of the county of Columbia." (No. 797.)

"An act to amend sections 2488 and 2489 of the Code of Civil Procedure, relative to disability of surrogates." (No. 658.)

"An act to provide for the payment of the salary of John A. Stemmler, as justice of the district court in the city of New York, for the seventh judicial district." (No. 847.)

"An act to regulate the duties of health officers or other officials in the seizure or destruction of milk." (No. 668.)

"An act to authorize the board of contract and apportionment of the city of Albany to assess the expense of certain work and improvements upon the property respectively benefited thereby." (No. 1102.)

"An act to amend section 316 of the Code of Civil Procedure, relating to the jurisdiction of the city court of New York." (No. 621.)

"An act for the better protection of skilled labor, and for the registration of labels, marks, names, brands or devices covering the products of such labor of associations or unions of workmen or women." (No. 932.)

"An act to amend chapter 203 of the Laws of 1888, entitled 'An act to authorize the board of education of the city of Lockport to acquire a site and erect a school building for the use of the union school district within said city, and to authorize the common council of said city of Lockport to issue bonds for the purpose of paying therefor.'" (No. 1098.)

"An act to amend section 3 of chapter 529 of the Laws of 1884, entitled 'An act to make provision for a public park in the Seventh ward in the city of New York, including therein all necessary alterations of the map or plan of said city, the acquisition of land for such park and the payment of all expenses connected therewith from moneys to be raised by bonds, taxes and assessments for local improvements.'" (No. 1162.)

"An act to amend chapter 308 of the Laws of 1849, entitled 'An act to provide for the incorporation of insurance companies,' and the acts amendatory thereof." (No. 200.)

"An act to establish the compensation of the county judge and surrogate of Warren county." (No. 525.)

"An act to amend sections 86 and 89 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act, and to declare the special and local laws affecting public interests in the city of New York,' in relation to the licensing of scalpers in coal freight." (No. 878.)

"An act to enable the electors of the town of North Collins, in Erie county, to vote by districts in the election of town officers." (No. 616.)

"An act to amend chapter 307 of the Laws of 1852, entitled 'An act to incorporate the Buffalo Association for the Relief of the Poor.'" (No. 918.)

"An act to provide a rifle range for the use of the National Guard." (No. 1029.)

"An act to amend chapter 573 of the Laws of 1886, entitled 'An act to revise, consolidate and amend chapter 287 of the Laws of 1879, and chapter 362 of the Laws of 1880, relating to the formation of town and county coöperative insurance companies, and acts amendatory thereof." (No. 856.)

"An act to amend an act entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' with reference to the department of parks." (No. 1208.)

"An act to amend section 6 of title 3 of chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,' with reference to the powers and privileges of union free school districts, as amended by chapter 90 of the Laws of 1889." (Int. No. 1226.)

"An act to amend section 13 of title 11 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn.'" (No. 1146.)

"An act to establish a normal and training school at the village of Plattsburgh, in the county of Clinton, and to make an appropriation therefor." (No. 539.)

Ordered, That the Clerk deliver said bills to the Governor.

Mr. McCarren offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 1146, entitled "An act to amend section 13 of title 11 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,'" for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

On motion of Mr. Husted, and by unanimous consent, the committee of the whole was discharged from the further consideration of Senate bill No. 160, entitled "An act to tax sales of beverages in certain cases," and the same ordered to a third reading.

Mr. Sullivan offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 1108, entitled "An act to amend chapter 716 of the Laws of 1887, entitled 'An act in relation to the electrical conductors in the city of New York,'" now on the order of third reading, be read the third time on Friday, May tenth.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill No. 1146, entitled "An act to amend section 13 of title 11 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city

of Brooklyn,'” with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate bill (No. 485) entitled “An act to amend chapter 598 of the Laws of 1881, entitled ‘An act to incorporate the New York Building and Improvement Company’” (Rec. No. 322), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Demarest	Hagan	Mead	Smith, M. A.
Ainsworth	Dinehart	Hamilton	Mesick	Smith, T.
Baker, A. H.	Dinkelspiel	Hayes	Miley	Stevens
Bauer	Donaldson	Hitt	Miller	Strassburg
Blanchfield	Dunlap	Hughes	Mullaney	Sullivan
Brown	Edwards	Kent	Murray	Towne
Bush, R. P.	Endres	Kerrigan	Newschafer	Treadway
Carson	Fish	Kimball	O'Neil	Van Gorder
Clark, J.	Fitts	Lane	Rhodes	Walters
Comstock	Gallup	Larmon	Rice	West
Connelly	Gibbs	Little	Roesch	Whipple
Coon	Graham	Loder	Ryan	Yates
Cottrell	Greene	Longley	Saunders	Yetman
Cronin	Groat	McAdam	Savery	Young
Curtis	Guenther	McCarren	Schaaff	Youngman
Decker	Haffner	McMaster	Sheldon	

For the negative,

Crosby

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same.

Mr. Sheehan, speaking to a question of privilege, said:

Mr. Speaker, during the discussion of the bill relative to the pauper insane, I was seated near yonder pillar, and just as soon as the vote was announced from the desk that the motion to recommit the bill had been carried, I was near yonder desk where Mr. Flaherty now is. My ears were open then as they usually are, and as they are now. I find that there is a record upon the Clerk's minutes that the Vedder tax bill has been ordered to a third reading. It has been ordered to a third reading without the consent of this House. That bill can pass this body, gentlemen, but let it pass in decency and in order. You can pass that bill, you can go into committee of the whole on it any day you want to, but in God's name maintain the reputation for decency, what there is left to it, of this House, and do not resort to chicanery and trickery such as has been practiced here to-day. It is

the most indecent thing that I have ever seen; of all the cruel and indecent things of this Legislature, since I first came here, this is the most indecent of all. There is enough Republican manhood left in this House, I know, to send this bill back to where it was dragged from by trickery and chicanery. I appeal to you Republicans. I ask, Mr. Speaker, how that bill has been placed on the order of third reading? Not by unanimous consent, because unanimous consent was not asked.

Mr. HUSTED.—Mr. Speaker, I asked unanimous consent and no objection was made.

Mr. SHEEHAN.—I stood at that desk; no unanimous consent was given, none was asked.

Mr. CHARLES SMITH.—Mr. Speaker, I objected four or five times and kept objecting.

Mr. SHEEHAN.—None was asked, because I stood at that desk there. Now, as I said, Mr. Speaker, this bill can be passed and can be passed in order. If this is done merely for the purpose of having a laugh at my expense or at the expense of the Democratic minority, you are welcome to the credit you can get for such action as that. But what I want to say is this, and I want to stamp it in the strongest possible terms at my command, that such action as this upon a party question, and this is in the nature of a party question, is infamous, aye, it is damnable, it is unworthy of men, it is unworthy of Republicans or Democrats. I move, sir, that the bill be recommitted to the committee of the whole; then take it up and pass it in order.

The SPEAKER.—The gentleman from Erie asked the question from the Chair how this bill came to be placed on the order of third reading. The gentleman from Westchester, Mr. Husted, came down into the well and made a request that some Senator's bill, No. 160, be ordered to a third reading. The Chair asked if there was any objection. There was none, and it was so ordered. The Chair did not know what the bill was, as he very frequently does not know what bills are that are ordered to a third reading. There was no objection and it was ordered to a third reading. It is now on the order of third reading. Unless this House by unanimous consent changes its action, it must there remain until some motion is made properly.

Mr. SHEEHAN.—I say this, in all candor, and insist that you have it in your power to pass this bill when you see fit. You have it in your power to order a special session for the consideration of this bill as you ordered another bill within the rules as they are construed; whether rightfully or wrongfully does not matter now, but within the rules it has been held that you may call a special session by a majority vote for a special purpose. There you can order your bill to a third reading; but in God's name, I say, proceed with business under the rules, and not through deviltry and trickery such as this, which would disgrace even the most rotten borough of Europe.

Mr. AINSWORTH.—Mr. Speaker, I desire to rise to a question of privilege for a moment, and I wish to refresh the minds of the members of this House that it is scarcely three hours since the gentleman from Erie came into the well, and in the absence of the chairman of the committee on railroads asked that we now go into reports of standing committees, the Speaker saying at the time that he understood there

were no committees ready to report. In the absence of the chairman of the committee on railroads, for the despicable purpose of resorting to a trick, not when he had the votes to do what he wanted to do, but when he did not have the votes to do what he wanted, he did the same thing he accuses the gentleman from Westchester, Mr. Husted, of doing. I now move that the House adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon the House took a recess until 4 o'clock p. m.

FOUR O'CLOCK P. M.

The House again met.

The Senate sent for concurrence a resolution, in the words following: *Resolved* (if the Assembly concur), That Senate bill No. 569, entitled "An act to provide for the erection of a State armory at Niagara Falls, New York, and making an appropriation therefor" (Rec. No. 252), be returned to the Governor without amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 848) entitled "An act to establish a Code of Evidence," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 73 }
{ NOES 5 }

Those who voted in the affirmative, were

Acker	Davidson	Hayes	McKenzie	Saxton
Ainsworth	Demarest	Hornidge	McMaster	Schaaff
Andrus	Dinkelspiel	Hughes	Mesick	Sheldon
Aspinall	Donaldson	Husted	Miley	Smith, T.
Baker, A. B.	Edwards	Kerrigan	Moffitt	Sperry
Barton	Endres	Kimball	Moody	Stevens
Bauer	Fish	Lane	Murray	Sullivan
Blanchfield	Fitts	Larmon	O'Neil	Treadway
Brown	Gallup	Lewis	Pearsall	Upson
Cheney	Gibbs	Little	Rice	Van Gorder
Comstock	Greene	Loder	Roesch	Walters
Connelly	Guenther	Longley	Ryan	West
Coon	Haffner	Maynard	Saunders	Whipple
Cottrell	Hagan	McAdam	Savery	Youngman
Curtis	Haggerty	McCarren		

Those who voted in the negative, were

Blumenthal	Crosby	Dunlap	Hitt	Yates
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1213) entitled "An act to amend chapter 404 of the Laws of 1875, entitled 'An act to authorize appropriations for the poor adult blind in the city of New York not provided for in public or private institutions,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Haggerty	Mesick	Smith, M. A.
Adams	Davidson	Hayes	Miley	Smith, T.
Ainsworth	Decker	Hitt	Moody	Stevens
Andrus	Demarest	Hornidge	Newschafer	Sullivan
Aspinall	Dinkelspiel	Hughes	O'Neil	Towne
Baker, A. B.	Donaldson	Kelly	Pearsall	Townsend
Barton	Duffy	Kerrigan	Rhodes	Treadway
Bauer	Dunlap	Kimball	Rice	Upton
Blake	Endres	King	Roesch	Van Gorder
Blanchfield	Enz	Lane	Ryan	Walters
Blumenthal	Fish	Larmon	Saunders	West
Brown	Fitts	Lewis	Savery	Whipple
Cheney	Greene	Little	Saxton	Yates
Comstock	Guenther	Longley	Schaaff	Young
Connelly	Haffner	McCarren	Smith, C.	Youngman
Coon	Hagan	McKenzie		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 416) entitled "An act to amend chapter 495 of the Laws of 1885, entitled 'An act providing for placing electrical conductors underground in cities of this State, and for commissioners of electrical subways'" (Rec. No. 324), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Gallup	McLaughlin	Schaaff
Adams	Coon	Guenther	Mead	Sheehan
Ainsworth	Cronin	Haffner	Mesick	Sheldon
Andrus	Crosby	Harwood	Miley	Smith, C.
Aspinall	Curtis	Hitt	Moffitt	Smith, M. A.
Baker, A. B.	Davidson	Hornidge	Moody	Stevens

Barton	Decker	Hughes	Murray	Towne
Bauer	Demarest	Husted	Newschafer	Treadway
Blake	Dinkelspiel	Kimball	O'Neil	Upson
Blanchfield	Dunlap	King	Pearsall	Van Gorder
Blumenthal	Edwards	Lane	Rice	Walters
Brown	Endres	Larmon	Ryan	West
Bush, G. H.	Enz	Lewis	Saunders	Whipple
Carson	Fish	Little	Savery	Yates
Cheney	Fitts	Longley	Saxton	Youngman
Clark, J.	Flaherty	McAdam		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Sperry offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 1208, entitled "An act to amend an act entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' with reference to the department of parks," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate bill (No. 531) entitled "An act to secure adequate compensation for the right to construct, maintain, use and operate by electric power, heat and light companies, poles, subways, wires and conductors in cities of 1,000,000 of inhabitants or over, and in relation to such companies" (Rec. No. 318), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 70 }
{ NOES 17 }

Those who voted in the affirmative, were

Acker	Cheney	Haffner	Martin	Rice
Adams	Clark, J.	Hagan	McAdam	Roesch
Ainsworth	Comstock	Harwood	McCarren	Ryan
Andrus	Curtis	Hayes	McKenzie	Saunders
Aspinall	Davidson	Hitt	Mead	Savery
Baker, A. B.	Decker	Hughes	Mesick	Schaaff
Baker, A. H.	Demarest	Husted	Miley	Sheldon
Barton	Dinkelspiel	Kelly	Miller	Smith, M. A.
Bauer	Dunlap	Kerrigan	Moffitt	Stevens
Blake	Endres	Kimball	Moody	Towne
Blanchfield	Enz	Lane	Murray	Townsend
Brown	Fitts	Larmon	Newschafer	Treadway
Bush, G. H.	Flaherty	Little	O'Neil	Walters
Carson	Gibbs	Longley	Pearsall	Whipple

Those who voted in the negative, were

Blumenthal	Gallup	Saxton	Sperry	West
Connelly	Guenther	Smith, C.	Sullivan	Yates
Crosby	King	Smith, T.	Van Gorder	Youngman
Edwards	Lewis			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 300) entitled "An act to provide for the completion of the inclosure of Morningside park, and of the bays and approaches to, and of the sidewalks bounding said park, in the city of New York" (Rec. No. 117), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Davidson	Husted	Miller	Smith, M. A.
Adams	Decker	Kelly	Moffitt	Smith, T.
Ainsworth	Demarest	Kimball	Newschafer	Sperry
Aspinall	Dunlap	King	O'Neil	Stevens
Baker, A. B.	Edwards	Lane	Pearsall	Sullivan
Baker, A. H.	Endres	Larmon	Rice	Towne
Barton	Fish	Lewis	Roesch	Townsend
Blanchfield	Fitts	Little	Ryan	Treadway
Brown	Flaherty	Loder	Saunders	Upton
Bush, R. P.	Gallup	Longley	Savery	Walters
Carson	Gibbs	McAdam	Saxton	West
Cheney	Greene	McCarren	Schaaff	Whipple
Clark, J.	Haffner	McKenzie	Sheehan	Yates
Connelly	Hagan	Mead	Sheldon	Young
Cronin	Harwood	Mesick	Smith, C.	Youngman
Crosby	Hughes	Miley		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The bill (No. 977) entitled "An act to enable courts of justice to receive in evidence in actions or proceedings involving the title of premises known by the street number as No. 209 Hester street, in the city of New York, certain testimony heretofore received in a cause involving the same question," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
 { NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Haffner	McKenzie	Sheehan
Adams	Crosby	Hagan	Mead	Sheldon
Ainsworth	Curtis	Haggerty	Mesick	Smith, C.
Andrus	Davidson	Harwood	Miller	Smith, M. A.
Aspinall	Decker	Hitt	Moffitt	Smith, T.
Baker, A. B.	Demarest	Hughes	Moody	Stevens
Baker, A. H.	Dinkelspiel	Husted	Murray	Tefft
Bauer	Dunlap	Kimball	Newschafer	Towne
Blanchfield	Edwards	King	Nixon	Treadway
Blumenthal	Endres	Lane	O'Neil	Upson
Brown	Enz	Larmon	Pearsall	West
Bush, R. P.	Fish	Little	Rhodes	Whipple
Carson	Fitts	Loder	Roesch	Yates
Cheney	Flaherty	Longley	Saunders	Yetman
Clark, J.	Gallup	Maynard	Savery	Young
Connelly	Gibbs	McAdam	Saxton	Youngman
Coon	Guenther	McCarren	Schaff	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 669) entitled "An act requiring clerks of the counties of this State to execute bonds for the faithful discharge of their duties and to account for and pay over all moneys deposited with them, as such clerks, pursuant to law or the orders of courts," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
 { NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Hughes	Miley	Sheehan
Adams	Crosby	Husted	Miller	Smith, C.
Ainsworth	Curtis	Kimball	Moffitt	Smith, M. A.
Andrus	Davidson	King	Moody	Smith, T.
Aspinall	Decker	Lane	Murray	Sperry
Baker, A. B.	Demarest	Larmon	Newschafer	Towne
Bauer	Dinkelspiel	Lewis	Nixon	Treadway
Blanchfield	Duffy	Little	O'Neil	Upson
Blumenthal	Edwards	Loder	Pearsall	Van Gorder
Brown	Endres	Longley	Rhodes	Walters
Bush, G. H.	Enz	Martin	Rice	West
Bush, R. P.	Fitts	Maynard	Roesch	Whipple
Carson	Greene	McAdam	Saunders	Yates
Cheney	Guenther	McCarren	Savery	Yetman

Clark, J.	Haffner	McKenzie	Saxton	Young
Connelly	Hagan	Mead	Schaaff	Youngman
Coon	Harwood	Mesick		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1044) entitled "An act to amend section 2692 of the Code of Civil Procedure, relative to the appointment of successors to executors or administrators," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Haggerty	Mead	Smith, M. A.
Adams	Cottrell	Harwood	Mesick	Smith, T.
Ainsworth	Crosby	Hitt	Miley	Sperry
Andrus	Curtis	Hughes	Moffitt	Stevens
Baker, A. B.	Davidson	Kelly	Moody	Sullivan
Baker, A. H.	Decker	Kimball	Newschafer	Tefft
Bauer	Dinkelspiel	Lane	O'Neil	Treadway
Blake	Duffy	Larmon	Pearsall	Upson
Blanchfield	Edwards	Lewis	Rice	Van Gorder
Blumenthal	Endres	Little	Roesch	Walters
Brown	Fish	Loder	Ryan	West
Bush, G. H.	Fitts	Longley	Saunders	Whipple
Bush, R. P.	Flaherty	Maynard	Savery	Yates
Carson	Gibbs	McAdam	Saxton	Yetman
Cheney	Greene	McCarren	Schaaff	Young
Comstock	Guenther	McKenzie	Sheehan	Youngman
Connelly	Haffner	McMaster	Sheldon	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. R. P. Bush offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 268, entitled "An act to provide a rifle range for the use of the National Guard," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The bill (No. 530) entitled "An act to regulate the powers of the United States Harvey Way Construction Company," having been announced for a third reading,

On motion of Mr. Demarest, and by unanimous consent, the same was amended as follows:

Section 3, line 2, strike out the word "construe" and insert in lieu thereof the word "construct."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Davidson	Hayes	McAdam	Sheldon
Ainsworth	Decker	Hitt	McCarren	Smith, C.
Andrus	Demarest	Hornidge	McKenzie	Smith, M. A.
Aspinall	Dinkelspiel	Hughes	McMaster	Stevens
Baker, A. B.	Duffy	Husted	Mesick	Sullivan
Baker, A. H.	Edwards	Kelly	Moffitt	Tefft
Bauer	Endres	Kerrigan	Moody	Towne
Blake	Enz	Kimball	Mullaney	Townsend
Blanchfield	Fish	King	Murray	Upson
Blumenthal	Fitts	Lane	Newschafer	Walters
Brown	Flaherty	Larmon	Pearsall	West
Bush, G. H.	Greene	Lewis	Rice	Whipple
Bush, R. P.	Guenther	Little	Roesch	Yates
Carson	Haffner	Loder	Saunders	Yetman
Comstock	Haggerty	Longley	Savery	Young
Connelly	Harwood	Maynard	Saxton	Youngman
Coon				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1028) entitled "An act to authorize the establishment of an electric plant for the purpose of lighting the city of Jamestown, New York, with electric light, and to empower the common council of said city to raise the necessary funds therefor," having been announced for a third reading,

On motion of Mr. Towne, and by unanimous consent, the same was amended as follows:

Section 1, lines 6 and 7, printed bill, strike out the words "and the inhabitants thereof."

Add at the end of section 6 the following:

"But the said common council shall not exercise any of the powers or authority conferred by this act, until after the taxpayers of said city, at a general election, or a special election called for that purpose, shall have decided by a majority vote of all the votes cast thereat, in favor of the erection and construction of an electric light plant, as provided in this act. Such election shall be ordered by said common council, and shall be noticed and held in the same manner as is provided by section 5 of title 5 of chapter 84 of the Laws of the State of New York, passed March 31, 1886. The vote on such proposition shall be taken by ballot, and each ballot shall be indorsed 'for electric light plant,' or 'against electric light plant,' and no person other than the class of

persons specified as voters in said section 5 of title 5 of chapter 84 of Laws of 1886, shall be entitled to vote on such proposition. The vote of the common council ordering such election shall specify the amount proposed to be raised, which amount shall in no event exceed \$25,000."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Harwood	McMaster	Sheehan
Adams	Cottrell	Hughes	Mead	Sheldon
Ainsworth	Davidson	Husted	Mesick	Smith, T.
Andrus	Decker	Kerrigan	Miller	Stevens
Baker, A. B.	Demarest	Kimball	Moffitt	Sullivan
Baker, A. H.	Dinkelspiel	Lane	Moody	Towne
Bauer	Donaldson	Larmon	Murray	Townsend
Blake	Duffy	Lewis	Newschafer	Upton
Blanchfield	Dunlap	Little	Nixon	Van Gorder
Brown	Edwards	Loder	O'Neil	Walters
Bush, G. H.	Endres	Longley	Pearsall	West
Bush, R. P.	Flaherty	Maynard	Rice	Whipple
Carson	Greene	McAdam	Roesch	Yates
Cheney	Guenther	McCann	Saunders	Yetman
Clark, J.	Haffner	McCarren	Savery	Young
Comstock	Hagan	McKenzie	Saxton	Youngman
Connelly				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The bill (No. 1180) entitled "An act relative to the cleaning of streets, avenues, alleys and public places in the city of Brooklyn, and to provide the means of payment for the same," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Curtis	Hitt	McCarren	Saxton
Ainsworth	Demarest	Hornidge	McLaughlin	Schaaff
Baker, A. B.	Donaldson	Hughes	Mesick	Sheehan
Baker, A. H.	Dunlap	Husted	Miller	Smith, C.
Bauer	Edwards	Kelly	Moffitt	Smith, T.
Blanchfield	Endres	Kerrigan	Moody	Sperry
Brown	Enz	King	Murray	Sullivan
Bush, G. H.	Fish	Lane	Newschafer	Townsend

Bush, R. P.	Flaherty	Larmon	Nixon	Upson
Carson	Gibbs	Lewis	O'Neil	Walters
Cheney	Greene	Little	Pearsall	West
Comstock	Guenther	Loder	Rice	Yates
Connelly	Haffner	Longley	Roesch	Yetman
Coon	Hagan	Martin	Ryan	Young
Cottrell	Haggerty	Maynard	Saunders	Youngman
Cronin	Hayes	McCann	Savery	

For the negative,
Decker

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 508) entitled "An act to amend chapter 198 of the Laws of 1876, entitled 'An act to amend chapter 140 of the Laws of 1850, entitled An act to authorize the formation of railroad corporations, and to regulate the same,' so far as the same relates to cities of less than 1,000,000 of inhabitants," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 2 }

Those who voted in the affirmative, were

Acker	Cottrell	Graham	McCann	Saxton
Adams	Crosby	Greene	McCarren	Schaaff
Adams	Curtis	Haffner	McKenzie	Sheldon
Baker, A. B.	Davidson	Haggerty	McMaster	Smith, M. A.
Baker, A. H.	Decker	Hitt	Mead	Smith, T.
Bauer	Demarest	Hughes	Mesick	Sullivan
Blake	Dinkelspiel	Husted	Miley	Tefft
Blanchfield	Duffy	Kelly	Moffitt	Towne
Brown	Dunlap	Kerrigan	Moody	Townsend
Bush, G. H.	Edwards	Kimball	Nixon	Upson
Bush, R. P.	Endres	Lane	Rhodes	Van Gorder
Carson	Enz	Larmon	Rice	Walters
Cheney	Fitts	Lewis	Roesch	Whipple
Clark, J.	Flaherty	Little	Saunders	Yates
Comstock	Gallup	Longley	Savery	Young
Coon	Gibbs	Mase		

Those who voted in the negative, were
Fish Sperry

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 978) entitled "An act to amend chapter 472 of the Laws of 1881, entitled 'An act to amend chapter 85 of the Laws of 1880, entitled An act supplemental to chapter 40 of the Laws of 1848, entitled An act to authorize the formation of corporations for manu-

facturing, mining, mechanical or chemical purposes,' and the amendments made thereto," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Haffner	Mase	Schaaff
Adams	Davidson	Haggerty	McCann	Sheehan
Ainsworth	Decker	Harwood	McCarren	Sheldon
Andrus	Demarest	Hayes	McKenzie	Sullivan
Baker, A. B.	Dinkelspiel	Hitt	McMaster	Tefft
Baker, A. H.	Donaldson	Hughes	Mead	Towne
Blake	Dunlap	Husted	Mesick	Townsend
Blanchfield	Edwards	Kelly	Miley	Treadway
Bush, R. P.	Endres	Kerrigan	Moffitt	Van Gorder
Carson	Enz	Kimball	Murray	Walters
Cheney	Fish	Lane	Nixon	West
Clark, J.	Fitts	Larmon	Pearsall	Whipple
Comstock	Flaherty	Little	Rice	Yates
Connelly	Gallup	Loder	Saunders	Young
Cottrell	Gibbs	Longley	Savery	Youngman
Crosby	Greene	Martin	Saxton	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1161) entitled "An act to provide for the construction of fish-ways in the dam across the Chenango river, in the village of Chenango Forks, Broome county, and making an appropriation therefor," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Haggerty	Miley	Sheldon
Adams	Cottrell	Hayes	Moffitt	Smith, M. A.
Ainsworth	Crosby	Hornidge	Moody	Smith, T.
Andrus	Curtis	Hughes	Murray	Sperry
Baker, A. B.	Davidson	Kelly	Nixon	Stevens
Baker, A. H.	Decker	King	O'Neil	Tefft
Blake	Demarest	Lane	Pearsall	Towne
Blanchfield	Dinkelspiel	Larmon	Rice	Townsend
Blumenthal	Duffy	Longley	Roesch	Treadway

Brown	Edwards	Mase	Ryan	Upson
Bush, G. H.	Endres	Maynard	Saunders	Van Gorder
Bush, R. P.	Fitts	McCann	Savery	Walters
Carson	Gibbs	McCarren	Saxton	Whipple
Cheney	Greene	McKenzie	Schaaff	Yates
Clark, J.	Guenther	McMaster	Sheehan	Youngman
Comstock	Haffner	Mead		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 623) entitled "An act to amend section 716 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York'" (Rec. No. 291), was read the third time.

Mr. Speaker, put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Flaherty	Mase	Saunders
Adams	Connolly	Gibbs	Maynard	Savery
Ainsworth	Coon	Greene	McCann	Saxton
Aspinall	Cottrell	Haffner	McCarren	Schaaff
Baker, A. B.	Crosby	Haggerty	McKenzie	Smith, T.
Baker, A. H.	Curtis	Hughes	McMaster	Sperry
Blake	Davidson	Husted	Mead	Stevens
Blanchfield	Decker	Kelly	Mesick	Tefft
Blumenthal	Demarest	Kimball	Moffitt	Treadway
Brown	Dinkelspiel	King	Moody	Walters
Brownell	Donaldson	Lane	Mullaney	West
Bush, G. H.	Duffy	Larmon	Newschafer	Whipple
Bush, R. P.	Dunlap	Little	Nixon	Yates
Carson	Endres	Loder	O'Neil	Young
Cheney	Enz	Longley	Pearsall	Youngman
Clark, J.	Fitts	Martin		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 738) entitled "An act to prohibit the sale and use of intoxicating liquors at State, county and town fairs, and at county reunions or encampments of organized associations of veterans of the late war, and within two hundred yards of the place or premises where such fairs and reunions or encampments are held," having been announced for a third reading.

On motion of Mr. Sheehan, and by unanimous consent, the same was amended by striking out in section 1, line 13, the words "five hundred" and inserting the words "one hundred and fifty" in place thereof.

Mr. Greene moved to amend by inserting in same section, line 11 printed bill, after the word "held" the words "This shall not apply to hotels now constructed and licensed."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 73 }
{ NOES 26 }

Those who voted in the affirmative, were

Acker	Cottrell	Husted	Miller	Smith, M. A.
Adams	Crosby	Kimball	Moffitt	Smith, T.
Ainsworth	Curtis	King	Moody	Sperry
Aspinall	Davidson	Lane	Newschafer	Stevens
Baker, A. B.	Decker	Larmon	Nixon	Tefft
Baker, A. H.	Donaldson	Lewis	O'Neil	Towne
Barton	Dunlap	Little	Pearsall	Treadway
Bauer	Edwards	Loder	Rhodes	Upson
Brown	Enz	Mase	Rice	Van Gorder
Bush, G. H.	Fitts	Maynard	Saunders	Walters
Carson	Flaherty	McAdam	Savery	West
Cheney	Gallup	McKenzie	Saxton	Whipple
Clark, J.	Greene	McMaster	Sheehan	Yates
Comstock	Harwood	Mead	Sheldon	Youngman
Coon	Hughes	Mesick		

Those who voted in the negative, were

Blake	Demarest	Kelly	McLaughlin	Ryan
Blanchfield	Duffy	Kerrigan	Miley	Schaaff
Blumenthal	Endres	Longley	Mullaney	Smith, C.
Bush, R. P.	Haffner	Martin	Murray	Sullivan
Connelly	Hagan	McCann	Roesch	Townsend
Cronin				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (Rec. No. 81), entitled "An act to authorize the comptroller of the city of New York to examine the claim of James A. Monaghan, and to pay the amount justly due," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 76 }
{ NOES 3 }

Those who voted in the affirmative, were

Acker	Connelly	Haffner	Maynard	Schaaff
Adams	Coon	Hagan	McKenzie	Sheldon
Ainsworth	Cottrell	Hayes	Mesick	Smith, C.

Aspinall	Cronin	Hitt	Moffitt	Smith, M. A.
Baker, A. B.	Curtis	Hornidge	Moody	Stevens
Baker, A. H.	Davidson	Hughes	Murray	Sullivan
Barton	Decker	Kent	Nixon	Tefft
Bauer	Demarest	Kerrigan	O'Neil	Townsend
Blake	Donaldson	Kimball	Pearsall	Treadway
Blanchfield	Endres	Lane	Rhodes	Van Gorder
Blumenthal	Enz	Larmon	Rice	Walters
Brown	Fitts	Lewis	Roesch	West
Bush, R. P.	Flaherty	Loder	Ryan	Whipple
Carson	Gallup	Longley	Saunders	Yates
Clark, J.	Greene	Martin	Savery	Youngman
Comstock				

Those who voted in the negative, were

Crosby King Sperry

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 576) entitled "An act to regulate the rate of wages on all public works in this State, and to define what laborers shall be employed thereon," which was under consideration when the House adjourned yesterday, was announced for a third reading, and the pending question was upon the adoption of the following amendment offered by Mr. Fish:

Add at the end of section 1 the words "Preference shall be given in all cases to soldiers and sailors who served in the army of the United States who received honorable discharges."

Mr. Crosby moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Fish, and it was determined in the negative.

{ AYES 28 }
{ NOES 47 }

Those who voted in the affirmative, were

Ainsworth	Comstock	Fish	Maynard	Murray
Baker, A. H.	Coon	Gallup	McKenzie	Rhodes
Bush, R. P.	Cottrell	Gibbs	McMaster	Tefft
Carson	Crosby	Graham	Mead	Van Gorder
Cheney	Dinkelspiel	Kelly	Mullaney	Walters
Clark, J.	Duffy	Loder		

Those who voted in the negative, were

Andrus	Dunlap	Hornidge	Nixon	Smith, C.
Bauer	Edwards	Hughes	O'Neil	Smith, M. A.
Blake	Endres	Lewis	Pearsall	Sperry
Blanchfield	Fitts	Little	Roesch	Stevens
Blumenthal	Greene	Longley	Ryan	Sullivan
Bush, G. H.	Haffner	Martin	Saunders	Towne
Connolly	Hagan	McCann	Schaaff	Townsend
Cronin	Harwood	McLaughlin	Sheehan	Yates
Curtis	Hayes	Miley	Sheldon	Young
Decker	Hitt			

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 67 }
{ NOES 30 }

Those who voted in the affirmative, were

Acker	Connelly	Hitt	Miley	Sheehan
Aspinall	Cottrell	Hornidge	Miller	Smith, C.
Baker, A. B.	Cronin	Husted	Moffitt	Smith, M. A.
Baker, A. H.	Demarest	Kelly	Mullaney	Smith, T.
Barton	Dinkelspiel	Kerrigan	Murray	Sullivan
Bauer	Duffy	Little	O'Neil	Tefft
Blake	Endres	Longley	Rhodes	Townsend
Blanchfield	Gibbs	Martin	Rice	Treadway
Blumenthal	Greene	Mase	Roesch	Upson
Brown	Guenther	McAdam	Ryan	Walters
Bush, G. H.	Haffner	McCann	Savery	Yates
Bush, R. P.	Hagan	McCarren	Saxton	Yetman
Cheney	Haggerty	McLaughlin	Schaaff	Young
Comstock	Hays			

Those who voted in the negative, were

Ainsworth	Decker	Harwood	Loder	Sheldon
Carson	Dunlap	Hughes	Maynard	Sperry
Clark, J.	Edwards	Kimball	McMaster	Stevens
Crosby	Fish	King	Mead	Towne
Curtis	Fitts	Larmon	Pearsall	Van Gorder
Davidson	Gallup	Lewis	Saunders	Whipple

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the concurrent resolutions recalling from the Governor, for the purposes of amendment, the following entitled Assembly bills, with a message that they have concurred in the passage of the same:

"An act to amend an act entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' with reference to the department of parks." (No. 1208.)

"An act to provide a rifle range for the use of the National Guard." (No. 268.)

Ordered, That the Clerk deliver said resolutions to the Governor.

The bill (No. 881) entitled "An act to increase the police force of the city of New York," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
 { NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Hayes	McKenzie	Sheldon
Ainsworth	Davidson	Hughes	McLaughlin	Smith, C.
Andrus	Decker	Husted	Mead	Smith, M. A.
Aspinall	Demarest	Kelly	Miller	Stevens
Baker, A. B.	Dinkelspiel	Kerrigan	Moffitt	Sullivan
Baker, A. H.	Duffy	Kimball	Moody	Tefft
Bauer	Dunlap	King	Mullaney	Towne
Blake	Endres	Lane	Murray	Townsend
Blanchfield	Fitts	Larmon	O'Neil	Treadway
Blumenthal	Gibbs	Lewis	Rhodes	Upson
Brown	Guenther	Little	Rice	Walters
Carson	Haffner	Mase	Roesch	West
Cheney	Hagan	Maynard	Saunders	Whipple
Comstock	Haggerty	McAdam	Savery	Yates
Connelly	Hamilton	McCann	Schaaff	Yetman
Cottrell	Harwood	McCarren	Sheehan	Youngman
Crosby				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act to amend title 2 of chapter 3 of part 4 of the Revised Statutes, relating to State prisons" (No. 1163), with a message that they have concurred in the passage of the same, with the following amendments (reference to engrossed bill):

Page 1, line 17, at the end of line insert the word "by."

Same page, line 30, after the word "prisons" insert the words "and the officers connected therewith."

Page 3, line 6, strike out the words "or employee."

Same page, line 8, strike out the words "or employee."

Page 4, line 26, after the word "hundred" insert the words "and eighty."

Page 6, line 17, after the word "prisons" insert the words "except the clerk and assistant clerks, who shall be subject to such rules and regulations as shall be prescribed by the Comptroller."

Page 9, line 10, after the word "prisoners" insert the words "and of the sales of articles manufactured by them."

Same page, line 21, after the word "prisoners" insert the words "and of sales as aforesaid."

Page 10, line 18, after the word "first" insert the word "day."

Page 11, line 23, after the word "report" insert the words "verified by his oath."

Page 15, line 33, after the word "prisons" insert the words "to reside regularly within one mile from said prison;" same line, after the word "rules" insert the words "of discipline."

Same page, line 34, strike out the words "under the direction of the Comptroller," and insert the words "as prescribed by the Comptroller in accordance with law."

Page 16, line 3, strike out the word "county," first occurring, and insert the words "in which and."

Page 17, line 13, before the word "sales" insert the word "disciplinary."

Page 20, line 13, after the word "storekeeper" insert the words "of each of said prisons."

Page 21, line 23, strike out the word "or" and insert the word "and."

Page 23, lines 11 and 12, strike out the words "for the purpose of furnishing fuel for the manufacture of iron by the prisoners in the said prison" and insert the words "for the use of said prison."

Page 27, line 12, strike out the word "or" (first occurring) and insert the word "and."

Page 30, line 32, strike out the words "and shall lose all the benefits of the commutation he may have earned by good conduct prior to said escape, unless pardoned by the Governor previous to or after rearrest" and insert the words "except as provided by chapter 21 of the Laws of 1886."

Page 33, line 34, strike out the "salable" and insert the word "saleable."

Page 34, line 8, before the word "greatest" insert the words "production of the."

Same page, line 9, strike out the word "salable" and insert the word "saleable."

Same page, line 6, strike out the word "salable" and insert the word "saleable."

Page 35, line 28, after the word "institutions" insert the words "under his control."

Same page, lines 34 and 35, strike out the words "shall not exceed one hundred in number in all of the State prisons, penitentiaries and penal institutions of the State and."

Same page, line 36, strike out the word "ten" and insert the word "five."

Page 37, line 3, strike out the words "current expense fund" and insert the word "earnings."

Same page, same line, after the word "prison" insert the words "or reformatory."

Same page, lines 4 and 5, strike out the words "and the prisoners in said reformatory from the current expenses thereof."

Same page, line 5, commence the word "compensation" with a capital "C."

Page 37, line 8, strike out the word "he" and insert the words "such prisoner."

Same page, same line, strike out all after the word "work," down to and including the word "earnings" in line 11, and insert the words "but in no case shall the compensation allowed to such convicts exceed in amount ten per centum of the earnings of the prison or reformatory in which they are confined."

Page 40, line 4, strike out all after the word "except" down to and including the word "time," in line 6, and insert the words "when in the judgment of the Superintendent of State Prisons it is for the best interest of the State to purchase the same in the open market."

Page 41, line 4, after the word "prisoners" insert the words "and of the sales of articles manufactured by them."

Same page, line 23, after the word "prison" insert the words "and of the sales of articles manufactured by them."

Page 42, line 22, change the word "chapter" to "chapters," and insert thereafter the words "three hundred and thirty and."

Same page, line 31, after the word "seventy-seven" insert the words "chapter 373 of the Laws of 1879."

Page 43, line 12, after the word "manner" insert the words "and subject to like restrictions."

Page 42, after line 2, add the following: "It shall be the duty of the Comptroller at the commencement of each annual session of the Legislature to report the financial condition of each of the prisons under the control of the Superintendent of Prisons. Such report shall state the amount and value of manufactured material on hand, the amount and value of manufactured goods unsold, the amount in value of goods sold but not paid for, and the amount of money remaining on deposit in each bank in which funds are deposited as provided by this section, such losses as may occur from time to time, and also such other information as he shall deem proper relating to the manufacturing industries of the prisons."

Mr. Yates moved to non-concur in the amendments of the Senate, that a committee of conference be appointed thereon on the part of the House, and request the appointment of a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. Yates, Husted, Crosby, R. P. Bush and Greene.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have non-concurred in their amendments, and have appointed a committee of conference thereon, and request the appointment of a like committee on the part of the Senate.

The Senate bill (No. 636) entitled "An act in relation to fraternal beneficiary societies, orders or associations" (Rec. No. 329), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Haggerty	McCarren	Ryan
Ainsworth	Cottrell	Hamilton	McKenzie	Saunders
Andrus	Cronin	Harwood	McLaughlin	Savery
Baker, A. B.	Curtis	Hayes	Mead	Schaaff
Baker, A. H.	Davidson	Hitt	Mesick	Smith, M. A.
Barton	Decker	Hornidge	Miley	Sullivan
Bauer	Demarest	Hughes	Moffitt	Towne
Blanchfield	Dinkelspiel	Husted	Moody	Townsend
Blumenthal	Duffy	Kerrigan	Mullaney	Treadway
Brown	Dunlap	Lane	Murray	Van Gorder

Bush, G. H.	Endres	Larmon	Nixon	Walters
Bush, R. P.	Enz	Little	O'Neil	West
Carson	Fitts	Loder	Pearsall	Whipple
Clark, J.	Guenther	Longley	Rhodes	Yates
Comstock	Haffner	Maynard	Rice	Yetman
Connelly	Hagan	McCann	Roesch	Youngman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 581) entitled "An act to amend section 1638 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the selection of grand jurors," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, three-fifths being present.

{ AYES 72 }
{ NOES 6 }

Those who voted in the affirmative, were

Acker	Cottrell	Hamilton	Miller	Stevens
Adams	Curtis	Harwood	Moffitt	Sullivan
Ainsworth	Decker	Hughes	Moody	Tefft
Andrus	Demarest	Husted	Mullaney	Towne
Aspinall	Donaldson	Kimball	Murray	Townsend
Baker, A. B.	Dunham	King	O'Neil	Upson
Bauer	Dunlap	Lane	Rice	Van Gorder
Blanchfield	Edwards	Lewis	Ryan	Walters
Brown	Endres	Little	Saunders	West
Bush, G. H.	Enz	Longley	Savery	Whipple
Carson	Fitts	McKenzie	Saxton	Yates
Cheney	Guenther	McLaughlin	Schaaff	Yetman
Clark, J.	Haffner	Mead	Sheldon	Young
Comstock	Hagan	Miley	Smith, C.	Youngman
Coon	Haggerty			

Those who voted in the negative, were

Larmon	Maynard	Mesick	Nixon	Pearsall
Loder				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

"An act to authorize the purchase of sites and the erection of buildings for school purposes, in the city of Brooklyn, and to provide the means therefor." (No. 1112.)

"An act to authorize the purchase of sites and the erection of buildings for municipal purposes in the city of Brooklyn." (No. 1111.)

"An act in relation to local improvements in the city of Brooklyn, and to provide for the issue of bonds for the same." (No. 1110.)

"An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' so far as relates to auxiliary sewers." (No. 1109.)

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Endres presented a petition relative to the creation of a live stock inspector; which was referred to the committee on public health.

Messrs. Barton and Le Roy presented petitions relative to misappropriating common school money; which were referred to the committee on public education.

The hour of 6 o'clock having arrived, the House took a recess until 8 o'clock P. M.

EIGHT O'CLOCK P. M.

The House again met.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill Int. No. 109, entitled "An act to amend title 11 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,'" for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill (No. 1163) entitled "An act to amend title 2 of chapter 3 of part 4 of the Revised Statutes, relating to State prisons," with a message that they have consented to the appointment of a committee of conference thereon, and have appointed as such committee Senators Fassett, Sweet and Linson.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Acker	Crosby	Hagan	Maynard	Schaaff
Adams	Curtis	Haggerty	McCarren	Sheehan
Ainsworth	Davidson	Harwood	McKenzie	Sheldon
Andrus	Decker	Hitt	Mead	Sperry
Aspinall	Demarest	Hornidge	Moffitt	Stevens
Baker, A. B.	Dinkelspiel	Kent	Moody	Sullivan
Bauer	Dunham	Kerrigan	Murray	Towne
Blake	Dunlap	Kimball	O'Neil	Treadway
Blanchfield	Endres	Lane	Pearsall	Van Gorder
Blumenthal	Fitts	Larmon	Rice	Walters
Brown	Flaherty	Lewis	Roesch	West
Bush, R. P.	Gallup	Little	Ryan	Whipple
Cheney	Gibbs	Loder	Saunders	Young
Comstock	Graham	Longley	Savery	Youngman
Cottrell	Guenther	Martin	Saxton	Speaker
Cronin	Haffner			

The Senate bill (No. 452) entitled "An act for the construction of a vertical retaining wall in place of the sloped wall constructed along the northerly or towing-path side of the Erie canal in the town of Royalton, county of Niagara, from the east line of Charles Day's land 300 feet, and to make an appropriation therefor" (Rec. No. 186), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Hornidge	McKenzie	Savery
Adams	Coon	Hughes	McLaughlin	Saxton
Ainsworth	Cottrell	Husted	McMaster	Schaaff
Andrus	Crosby	Kent	Mesick	Sheehan
Aspinall	Curtis	Kerrigan	Moffit	Sheldon
Baker, A. B.	Davidson	Kimball	Moody	Smith, T.
Baker, A. H.	Decker	King	Mullaney	Stevens
Bauer	Dinkelspiel	Lane	Murray	Towne
Blake	Dunlap	Larmon	Nixon	Treadway
Blanchfield	Endres	Lewis	O'Neil	Van Gorder
Blumenthal	Fitts	Little	Pearsall	Walters
Brown	Gibbs	Loder	Rhodes	West
Brownell	Graham	Longley	Roesch	Whipple
Bush, R. P.	Guenther	Martin	Ryan	Young
Cheney	Haggerty	Maynard	Saunders	Youngman
Chenstock	Hitt	McCarren		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 459) entitled "An act to provide for the incorporation of coöperative or assessment associations and societies for insurance upon the lives of horses, mules, jacks and jennies" (Rec. No. 193), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 4 }

Those who voted in the affirmative, were

Acker	Crosby	Hitt	Mesick	Saxton
Adams	Davidson	Hornidge	Miller	Sheldon
Andrus	Decker	Hughes	Moffitt	Smith, C.
Aspinall	Demarest	Kerrigan	Moody	Smith, T.
Baker, A. B.	Dinkelspiel	Lane	Mullaney	Sperry
Bauer	Duffy	Larmon	Murray	Stevens

Blake	Dunlap	Lewis	Nixon	Sullivan
Blanchfield	Edwards	Little	O'Neil	Tefft
Brown	Fish	Loder	Pearsall	Towne
Bush, R. P.	Flaherty	Longley	Rhodes	Treadway
Cheney	Gallup	Martin	Rice	Van Gorder
Comstock	Gibbs	McCarren	Roesch	Walters
Connelly	Graham	McKenzie	Ryan	West
Coon	Guenther	McLaughlin	Saunders	Young
Cottrell	Hagan	McMaster	Savery	Youngman
Cronin	Haggerty	Mead		

Those who voted in the negative, were

Dunham	Endres	King	Whipple
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Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 418) entitled "An act to amend chapter 184 of the Laws of 1881, entitled 'An act to revise the charter of the city of Yonkers'" (Rec. No. 199), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Hitt	McLaughlin	Schaaff
Andrus	Davidson	Hornidge	McMaster	Smith, C.
Aspinall	Decker	Hughes	Mead	Smith, T.
Baker, A. B.	Demarest	Kelly	Mesick	Sperry
Bauer	Dinkelspiel	Kent	Moffitt	Stevens
Blanchfield	Donaldson	Kerrigan	Moody	Sullivan
Blumenthal	Duffy	Kimball	Mullaney	Tefft
Brown	Endres	King	Murray	Towne
Brownell	Fitts	Lane	Newschafer	Van Gorder
Bush, R. P.	Flaherty	Larmon	Nixon	Walters
Cheney	Gallup	Loder	O'Neil	West
Connelly	Graham	Longley	Pearsall	Whipple
Coon	Guenther	Martin	Rhodes	Yetman
Cottrell	Hagan	Maynard	Rice	Young
Cronin	Haggerty	McCarren	Roesch	Youngman
Crosby	Harwood	McKenzie	Savery	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 922) entitled "An act to release to Harry H. Hurford and Bessie P. Barnett the right, title and interest of the people of the State of New York in certain real estate in the village of Cooperstown, Otsego county, N. Y.," was read the third time.

Mr. Speaker put the question whether the House would agree to the

final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 86 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Cottrell	Hagan	Maynard	Schaaff
Adams	Cronin	Haggerty	McCarren	Sheehan
Andrus	Crosby	Harwood	McKenzie	Sheldon
Aspinall	Curtis	Hayes	McMaster	Smith, C.
Baker, A. B.	Davidson	Hitt	Mead	Smith, M. A.
Baker, A. H.	Decker	Hornidge	Mesick	Smith, T.
Bauer	Dinkelspiel	Hughes	Moffitt	Stevens
Blake	Duffy	Husted	Moody	Tefft
Blanchfield	Dunlap	Kent	Nixon	Towne
Blumenthal	Endres	Kerrigan	O'Neil	Townsend
Brown	Fish	Kimball	Pearsall	Van Gorder
Bush, R. P.	Fitts	Lane	Rhodes	Walters
Carson	Flaherty	Larmon	Rice	West
Cheney	Gallup	Lewis	Roesch	Whipple
Clark, J.	Gibbs	Loder	Saunders	Yetman
Clarke, C. C.	Graham	Longley	Savery	Young
Comstock	Guenther	Martin	Saxton	Youngman
Coon				

For the negative,

Connelly

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, May 9, 1889. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly herewith is returned for amendment Assembly bill No. 1146, entitled "An act to amend section 13 of title 11 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn.'" DAVID B. HILL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Graham	Maynard	Roesch
Adams	Cottrell	Guenther	McCarren	Ryan
Andrus	Cronin	Harwood	McKenzie	Saunders

Aspinall	Crosby	Hitt	McMaster	Savery
Baker, A. B.	Curtis	Hughes	Mead	Saxton
Baker, A. H.	Davidson	Kent	Mesick	Schaaff
Barton	Decker	Kerrigan	Moffitt	Sheehan
Bauer	Demarest	Kimball	Moody	Sheldon
Blake	Dinkelspiel	King	Mullaney	Smith, T.
Blanchfield	Duffy	Lane	Murray	Sullivan
Blumenthal	Dunlap	Larmon	Newschafer	West
Brown	Endres	Lewis	Nixon	Whipple
Bush, R. P.	Fitts	Little	O'Neil	Yates
Carson	Flaherty	Loder	Pearsall	Yetman
Cheney	Gallup	Longley	Rhodes	Young
Clark, J.	Gibbs	Martin	Rice	Youngman
Comstock				

The vote upon the final passage of said bill having been reconsidered, On motion of Mr. McCarren, and by unanimous consent, the same was amended as follows:

Page 2, line 3, engrossed bill, strike out the words "crime excepting intoxication or simple assault," and insert in place thereof the word "felony."

Amend the title by adding at the end thereof the words "relative to the department of police."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 72 }
{ NOES 8 }

Those who voted in the affirmative, were

Acker	Comstock	Guenther	Maynard	Savery
Adams	Connelly	Hagan	McCarren	Schaaff
Ainsworth	Cottrell	Haggerty	McKenzie	Sheehan
Andrus	Cronin	Harwood	McLaughlin	Smith, T.
Baker, A. B.	Curtis	Hayes	McMaster	Sullivan
Baker, A. H.	Davidson	Hornidge	Moffitt	Tefft
Barton	Demarest	Hughes	Moody	Towne
Bauer	Dinkelspiel	Kelly	Murray	Treadway
Blake	Duffy	Kent	Nixon	Van Gorder
Blanchfield	Dunham	Kimball	O'Neil	West
Blumenthal	Edwards	Lane	Pearsall	Whipple
Bush, R. P.	Endres	Lewis	Roesch	Yates
Carson	Flaherty	Longley	Ryan	Young
Cheney	Gibbs	Mase	Saunders	Youngman
Clark, J.	Graham			

Those who voted in the negative, were

Aspinall	Coon	Decker	Sheldon	Sperry
Brown	Crosby	King		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The bill (No. 582) entitled "An act to provide for the semi-monthly payment of wages by corporations," having been announced for a third reading,

On motion of Mr. Roesch, and by unanimous consent, the same was amended as follows:

Strike out section 1, and insert in lieu thereof the following:

"SECTION 1. Every manufacturing, mining or quarrying, lumbering, mercantile, railroad, street railway, canal, steamboat, telegraph and telephone corporation, and every incorporated express company, and water company, not municipal, shall pay to each and every employé engaged in its business the wages earned by such employé in cash, and it shall not be lawful for any of the above-named companies or corporations to pay their employés in their own scrip, or that of others, commonly known as store-money orders."

Amend the title by striking out the word "semi-monthly" and inserting in lieu thereof the word "cash."

Mr. Flaherty moved to amend section 1 by striking out the word "lumbering" in line 1.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Roesch moved the previous question.

Mr. Speaker put the question "Shall the main question be now put," and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Hayes	McKenzie	Sheehan
Ainsworth	Davidson	Hitt	McLaughlin	Sheldon
Andrus	Decker	Hornidge	McMaster	Smith, C.
Aspinall	Demarest	Hughes	Mead	Smith, T.
Barton	Dinkelspiel	Husted	Moody	Sperry
Bauer	Dunham	Kelly	Mullaney	Stevens
Blake	Dunlap	Kent	Murray	Sullivan
Blanchfield	Edwards	Kerrigan	Newschafer	Tefft
Blumenthal	Endres	King	O'Neil	Towne
Brown	Fish	Lane	Rhodes	Townsend
Bush, R. P.	Fitts	Larmon	Rice	Van Gorder
Carson	Gallup	Lewis	Roesch	West
Cheney	Gibbs	Little	Ryan	Whipple
Clark, J.	Graham	Longley	Saunders	Yates
Connelly	Guenther	Martin	Savery	Yetman
Coon	Hagan	Maynard	Saxton	Young
Cottrell	Haggerty	McCarren	Schaaff	Youngman
Cronin				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein, as amended.

The bill (No. 925) entitled "An act to amend chapter 363 of the Laws of 1886, entitled 'An act to amend, revise and consolidate the several acts relating to the village of Canton and to enlarge the powers of the corporation of said village, relative to the boundaries of said village and duties of assessors,'" was read the third time.

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Hagan	McCarren	Savery
Adams	Crosby	Haggerty	McKenzie	Saxton
Ainsworth	Curtis	Hayes	McMaster	Schaaff
Andrus	Davidson	Hitt	Mead	Sheldon
Aspinall	Decker	Hornidge	Mesick	Smith, T.
Baker, A. B.	Demarest	Hughes	Moffitt	Sperry
Barton	Dinehart	Husted	Moody	Stevens
Bauer	Dinkelspiel	Kent	Mullaney	Sullivan
Blake	Dunlap	Kerrigan	Murray	Tefft
Blanchfield	Edwards	Kimball	Newschafer	Towne
Blumenthal	Endres	King	Nixon	Townsend
Brown	Enz	Lane	O'Neil	Treadway
Bush, R. P.	Fitts	Larmon	Pearsall	Upson
Carson	Flaherty	Lewis	Rhodes	Van Gorder
Cheney	Gallup	Little	Rice	West
Clark, J.	Gibbs	Lozier	Roesch	Whipple
Comstock	Graham	Longley	Ryan	Yates
Connely	Guenther	Martin	Saunders	Young
Coon	Haffner			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 100) entitled "An act in relation to ferries" (Rec. No. 43), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Hughes	Moody	Smith, C.
Adams	Cronin	Kent	Murray	Smith, M. A.
Andrus	Crosby	Kerrigan	Nixon	Smith, T.
Aspinall	Davidson	Kimball	O'Neil	Sperry
Barton	Decker	King	Pearsall	Tefft
Bauer	Demarest	Lane	Rhodes	Towne

Blake	Dinkelspiel	Larmon	Rice	Treadway
Blanchfield	Duffy	Lewis	Roesch	Upson
Blumenthal	Dunham	Little	Ryan	Van Gorder
Brown	Dunlap	Longley	Saunders	West
Bush, R. P.	Endres	Martin	Savery	Whipple
Carson	Fitts	Maynard	Saxton	Yates
Cheney	Graham	McCarren	Schaaff	Yetman
Clark, J.	Haggerty	McKenzie	Sheehan	Young
Comstock	Harwood	McLaughlin	Sheldon	Youngman
Coon	Hitt	Moffit		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 930) entitled "An act to provide for the construction of fish-ways in the dams across Cattaraugus creek and its tributaries," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Hagan	Maynard	Sheehan
Adams	Cottrell	Haggerty	McCarren	Sheldon
Ainsworth	Crosby	Hayes	McLaughlin	Smith, M. A.
Aspinall	Davidson	Hitt	Moffitt	Sperry
Baker, A. B.	Decker	Hornidge	Moody	Stevens
Baker, A. H.	Demarest	Hughes	Murray	Tefft
Barton	Dinkelspiel	Kelly	Newschafer	Towne
Bauer	Duffy	Kent	Nixon	Treadway
Blake	Dunham	Kimball	O'Neil	Upson
Blanchfield	Dunlap	King	Pearsall	Van Gorder
Blumenthal	Edwards	Lane	Peck	Walters
Brown	Endres	Larmon	Rhodes	West
Bush, R. P.	Fish	Lewis	Rice	Whipple
Carson	Gallup	Little	Roesch	Yates
Cheney	Gibbs	Loder	Ryan	Young
Clark, J.	Graham	Longley	Saunders	Youngman
Comstock	Haffner			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 933) entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' amending the arrearage law," having been announced for a third reading,

On motion of Mr. Aspinall, and by unanimous consent, the same was amended as follows:

Page 2, lines 21 and 22, strike out the words "where a tax for the

year immediately preceding shall be due," and after the words "assessment-rolls" in line 23, insert the words "immediately deliver the same to the registrar of arrears, whose duty it shall be to cause to be stamped in the column headed 'notices' in said rolls, the word 'arrears' opposite the ward numbers of the respective lots, which appear upon the lists for the unpaid tax of the immediately preceding year, which shall have been returned to said registrar as required by section 14 of this title," and after the words "assessment-roll" in line 23, strike out the word "cause," and all of line 24 and the word "arrears" in line 25.

Same page, line 25, after the word "arrears" strike out the words "together with the year for which the property is so in arrears."

Same page, line 26, strike out the word "he" and insert in lieu thereof the words "the collector."

Page 6, after section 3, insert the following:

"§ 4. Section 10 of title 8 of said act is hereby amended so as to read as follows:

"§ 10. It shall be the duty of the registrar of arrears immediately after the confirmation of the assessed value of property as stated in the yearly assessment-roll for taxes, including the assessment-roll for the year immediately preceding the current year, to cause to be entered therein, in the column headed 'notices,' the word 'arrears' or 'sold' according as the fact may be, opposite to the ward numbers of lots on which any arrears of taxes or water rates shall be due, or on which any assessment shall remain unpaid, which taxes, water rates and assessments have been due, or which were confirmed twelve months prior to the first day of August, then last past, or which may have been sold for assessments, taxes or water rates, and yet be redeemable."

Page 6, strike out "§ 4" and insert in place thereof "§ 5," and strike out "§ 5" and insert in place thereof "§ 6."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Hayes	McKenzie	Sheehan
Adams	Davidson	Hitt	McLaughlin	Sheldon
Ainsworth	Decker	Hughes	Mead	Smith, C.
Andrus	Demarest	Husted	Miller	Smith, M. A.
Aspinall	Duffy	Kelly	Moffitt	Smith, T.
Barton	Dunham	Kent	Moody	Sperry
Bauer	Dunlap	Kerrigan	Murray	Sullivan
Blake	Edwards	King	Newschafer	Towne
Blanchfield	Endres	Lane	Nixon	Townsend
Blumenthal	Fitts	Larmon	O'Neil	Upton
Brown	Gallup	Lewis	Pearsall	Van Gorder
Carson	Gibbs	Little	Rhodes	Walters

Cheney	Graham	Loder	Rice	West
Clark, J.	Guenther	Longley	Roesch	Whipple
Comstock	Haffner	Maynard	Saunders	Yates
Connelly	Hagan	McAdam	Savery	Young
Coon	Haggerty	McCann	Saxton	Youngman
Cottrell	Harwood	McCarren	Schaaff	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 934) entitled "An act to authorize the common council of the city of Yonkers to empower the board of education in said city to borrow money to pay for materials and work upon certain of its school premises," having been announced for a third reading,

On motion of Mr. Murray, and by unanimous consent, the same was amended by striking out, in section 1, line 2, the word "thirty" and inserting in lieu thereof the word "three."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Graham	Longley	Savery
Adams	Coon	Guenther	Maynard	Saxton
Ainsworth	Cottrell	Haffner	McCarren	Schaaff
Aspinall	Crosby	Hagan	McKenzie	Sheehan
Baker, A. B.	Curtis	Haggerty	McLaughlin	Smith, M. A.
Baker, A. H.	Davidson	Hayes	Mead	Smith, T.
Barton	Decker	Hughes	Moffitt	Sperry
Bauer	Demarest	Husted	Moody	Towne
Blake	Dinkelspiel	Kelly	Mullaney	Treadway
Blanchfield	Donaldson	Kent	Murray	Upton
Blumenthal	Duffy	Kerrigan	Newschafer	Van Gorder
Brown	Dunham	King	Nixon	Walters
Bush, R. P.	Dunlap	Lane	Rhodes	West
Carson	Edwards	Larmon	Rice	Whipple
Cheney	Fish	Lewis	Roesch	Yates
Clark, J.	Fitts	Little	Ryan	Yetman
Comstock	Gallup	Loder	Saunders	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 324) entitled "An act to amend sections 322 and 323 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relative to repairs of pavements" (Rec. No. 128), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Davidson	Harwood	McKenzie	Schaaff
Andrus	Decker	Hayes	McLaughlin	Sheehan
Baker, A. B.	Demarest	Hitt	Mead	Smith, C.
Baker, A. H.	Dinkelspiel	Hornidge	Moffitt	Smith, M. A.
Barton	Donaldson	Hughes	Moody	Smith, T.
Bauer	Duffy	Husted	Mullaney	Sperry
Blake	Dunham	Kent	Murray	Stevens
Blanchfield	Dunlap	Kerrigan	Newschafer	Sullivan
Blumenthal	Edwards	King	Nixon	Townsend
Brown	Endres	Lane	O'Neil	Treadway
Carson	Enz	Larmon	Pearsall	Upson
Cheney	Fish	Lewis	Rhodes	Van Gorder
Clark, J.	Fitts	Little	Rice	Walters
Comstock	Graham	Loder	Roesch	West
Coon	Guenther	Longley	Ryan	Whipple
Cottrell	Haffner	Mase	Saunders	Yates
Crosby	Hagan	Maynard	Savery	Yetman
Curtis	Haggerty	McCarren	Saxton	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Whipple in the chair.

Mr. Speaker introduced a bill entitled "An act to amend chapter 462 of the Laws of 1887, entitled 'An act to amend chapter 409 of the Laws of 1886, entitled An act to regulate the employment of women and children in manufacturing establishments, and to provide for the appointment of inspectors to enforce the same'" (Int. No. 1241), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Speaker, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and printed, and referred to the committee on revision.

The bill (No. 937) entitled "An act to release the right, title and interest of the people of the State of New York to certain real estate in the city of Hornellsville, of which Elizabeth Long died seized, to Michael Long," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Hayes	McKenzie	Saxton
Adams	Curtis	Hitt	McLaughlin	Schaaff
Ainsworth	Davidson	Hornidge	McMaster	Sheldon

Aspinall	Decker	Hughes	Mead	Smith, M. A.
Baker, A. B.	Demarest	Husted	Moffitt	Smith, T.
Barton	Dinkelspiel	Kelly	Moody	Sperry
Bauer	Donaldson	Kent	Mullaney	Stevens
Blake	Duffy	Kimball	Murray	Towne
Blanchfield	Dunham	King	Newschafer	Townsend
Brown	Edwards	Lane	Nixon	Treadway
Bush, R. P.	Endres	Larmon	O'Neil	Upson
Carson	Flaherty	Lewis	Pearsall	Van Gorder
Cheney	Gibbs	Little	Rhodes	Walters
Clark, J.	Graham	Loder	Rice	West
Comstock	Guenther	Longley	Roesch	Whipple
Connelly	Haffner	Martin	Ryan	Yates
Coon	Hagan	Maynard	Saunders	Yetman
Cottrell	Haggerty	McCarren	Savery	Young
Cronin	Harwood			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 938) entitled "An act to release certain lands, which have escheated to the State to Jacob Scherer, and enable him to convey the same," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Hughes	Mead	Sheldon
Ainsworth	Decker	Husted	Moffitt	Smith, M. A.
Aspinall	Demarest	Kelly	Moody	Smith, T.
Baker, A. B.	Dinkelspiel	Kent	Mullaney	Stevens
Barton	Donaldson	Kerrigan	Murray	Sullivan
Bauer	Duffy	Kimball	Nixon	Towne
Blake	Dunham	Lane	O'Neil	Townsend
Blanchfield	Dunlap	Larmon	Pearsall	Treadway
Blumenthal	Edwards	Lewis	Rhodes	Upson
Brown	Endres	Little	Rice	Van Gorder
Bush, R. P.	Fitts	Loder	Roesch	Walters
Carson	Gibbs	Longley	Ryan	West
Cheney	Graham	Martin	Saunders	Whipple
Comstock	Guenther	Maynard	Savery	Yates
Connelly	Haggerty	McCarren	Saxton	Yetman
Coon	Harwood	McKenzie	Schaaff	Young
Cottrell	Hayes	McLaughlin	Sheehan	Youngman
Cronin	Hitt	McMaster		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 939) entitled "An act to release to Frederick Theiss all the right, title and interest of the people of the State of New York in

and to certain real estate in the city of Brooklyn, Kings county, New York," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Haffner	McCarren	Saxton
Ainsworth	Cronin	Hagan	McKenzie	Schaaff
Andrus	Crosby	Haggerty	McLaughlin	Sheehan
Aspinall	Curtis	Hornidge	McMaster	Smith, C.
Baker, A. B.	Decker	Hayes	Mead	Sullivan
Baker, A. H.	Demarest	Hitt	Moffitt	Tefft
Barton	Dinkelspiel	Hughes	Moody	Towne
Bauer	Donaldson	Husted	Mullaney	Townsend
Blake	Duffy	Kelly	Newschafer	Treadway
Blanchfield	Dunham	Kerrigan	Nixon	Van Gorder
Blumenthal	Edwards	Kimball	O'Neil	Walters
Brown	Endres	Larmon	Pearsall	West
Bush, R. P.	Fish	Lewis	Rhodes	Whipple
Carson	Fitts	Little	Rice	Yates
Cheney	Flaherty	Longley	Roesch	Yetman
Comstock	Gallup	Martin	Ryan	Young
Connelly	Graham	Maynard	Saunders	Youngman
Coon	Guenther	McAdam	Savery	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 969) entitled "An act to amend chapter 392, Laws of 1871, entitled 'An act to incorporate the Southern New York Baptist Association,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Hayes	Mead	Smith, M. A.
Ainsworth	Davidson	Hughes	Moffitt	Smith, T.
Andrus	Decker	Husted	Moody	Sperry
Aspinall	Demarest	Kerrigan	Murray	Stevens
Barton	Dinkelspiel	Kimball	O'Neil	Tefft
Bauer	Donaldson	King	Pearsall	Towne
Blake	Duffy	Lane	Rhodes	Townsend
Blanchfield	Edwards	Larmon	Rice	Treadway
Blumenthal	Endres	Lewis	Roesch	Upson

Brown	Enz	Little	Ryan	Van Gorder
Bush, R. P.	Fitts	Loder	Saunders	Walters
Carson	Flaherty	Longley	Savery	West
Connelly	Graham	Martin	Saxton	Whipple
Coon	Guenther	McCarren	Schaaff	Yates
Cottrell	Haffner	McKenzie	Sheehan	Young
Cronin	Hagan	McLaughlin	Sheldon	Youngman
Crosby	Harwood	McMaster		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 168) entitled "An act to legalize the designation of official newspapers made by the common council of the city of Troy, and to legalize and confirm the printing and publication of official notices and advertisements in the papers so designated, and to provide for the audit and payment of claims in connection therewith" (Rec. No. 51), having been announced for a third reading,

Mr. Saunders moved to recommit said bill to the committee on the judiciary with instructions to strike out the enacting clause.

Mr. Husted moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Saunders, and it was determined in the affirmative, a majority of all the members present voting in favor thereof.

{ AYES 51 }
{ NOES 42 }

Those who voted in the affirmative, were

Acker	Curtis	Gibbs	Maynard	Sperry
Andrus	Davidson	Hughes	McKenzie	Stevens
Aspinall	Decker	Husted	McMaster	Towne
Baker, A. B.	Donaldson	Kimball	Mead	Treadway
Baker, A. H.	Edwards	King	Moody	Upton
Barton	Enz	Lane	Nixon	Van Gorder
Brown	Fish	Larmon	Pearsall	Walters
Cheney	Fitts	Lewis	Saunders	West
Comstock	Flaherty	Little	Saxton	Whipple
Coon	Gallup	Loder	Sheldon	Speaker
Crosby				

Those who voted in the negative, were

Blake	Dunham	Hitt	Mullaney	Sheehan
Blanchfield	Endres	Hornidge	Murray	Smith, C.
Blumenthal	Graham	Kelly	Newschafer	Smith, T.
Bush, R. P.	Guenther	Kerrigan	O'Neil	Sullivan
Connelly	Haffner	Longley	Rice	Tefft
Cronin	Hagan	Martin	Roesch	Townsend
Demarest	Haggerty	McCarren	Ryan	Yetman
Dinkelspiel	Harwood	McLaughlin	Schaaff	Young
Duffy	Hayes			

By unanimous consent,

Mr. Haggerty offered for the consideration of the House a resolution, in the words following:

Resolved, That Senate bill No. 537, entitled "An act to authorize the St. Mary's Female Hospital, in the city of Brooklyn, to transfer its corporate powers and property to the St. Mary's Maternity and Infants' Home in said city," now on the order of third reading, be read the third time Monday evening, May thirteenth.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The privileges of the floor were extended to Hon. Walter S. Hubbell during his stay in Albany, and also to Hon. Warren S. Kelly.

Mr. Acker called from the table the bill entitled "An act to divide Steuben county into three jury districts and providing for the erection of a court-house and holding courts therein" (No. 58), said bill having been recalled from the Governor.

Mr. Acker offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That the bill entitled "An act to divide Steuben county into three jury districts and providing for the erection of a court-house and holding courts therein" (No. 58), be returned to the Governor, without amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. McKenzie, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend chapter 119 of the Laws of 1888, entitled 'An act relating to employes of the various cities and counties of the State.'" (No. 942.)

"An act to provide for organizing a veteran reserve corps in the reserve militia from among those exempted by reason of military service from ordinary duty." (No. 1183.)

"An act to authorize the Board of Claims to hear, audit and determine the claims of Milton Pelton, Willis Edson, O. A. Howe, Geo. P. Basset, James A. Francisco, Phelps Knapp, Daniel Miller, Martin Gillett, Asahel Brainard, Jason Gregory, Willard Fuller, James B. Fuller, Jarvis A. Fuller, Nathan H. Fuller, William Baker, Jr., John Sprague, Chester Fuller and Anson B. Fuller for bounty under chapter 29 of the Laws of 1865,' and the several acts amendatory thereof, and to make an award thereon." (No. 898.)

"An act to extend the time for the completion of the labors of the board of adjustment in the town of Newtown, in the county of Queens, as provided by chapter 129 of the Laws of 1888." (No. 1157.)

"An act to amend chapter 193 of the Laws of 1885, entitled 'An act to amend chapter 202 of the Laws of 1884, entitled An act to prevent deceptions in the sales of dairy products.'" (No. 1160.)

"An act to close part of the old Bushwick road or avenue in the city of Brooklyn." (No. 679.)

"An act for the construction of a vertical retaining wall, in place of the sloped wall constructed along the northerly or towing-path side

of the canal in the town of Royalton, county of Niagara, from the east line of Charles Day's land 300 feet, and to make an appropriation therefor." (No. 1114.)

"An act to amend chapter 175 of the Laws of 1883, entitled 'An act to provide for the incorporation and regulation of coöperative or assessment life and casualty insurance associations and societies,' as amended by chapter 285 of the Laws of 1887." (No. 1033.)

"An act relating to the supervision of mortgage companies." (No. 1172.)

"An act to amend chapter 436 of the Laws of 1880, entitled 'An act to establish a police department in the city of Buffalo, and to provide for the government thereof,' as amended by chapter 359 of the Laws of 1883, relating to the police department." (No. 1171.)

"An act to amend chapter 583 of the Laws of 1888, being an act entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' so as to abolish the office of constable and provide for the appointment of marshals instead thereof." (No. 1201.)

"An act ceding jurisdiction to the United States of America over two certain pieces of land in the East river, New York, for the purpose of establishing thereon lights or other aids to navigation." (No. 1032.)

"An act authorizing the construction of a bridge over the Champlain canal at the farm-crossing of the late S. C. Rathbun, in the town of Whitehall, and making an appropriation therefor." (No. 1115.)

"An act relative to common schools in the city of New York, and providing for the employment of assistant teachers in certain cases." (No. 1126.)

"An act to amend chapter 608 of the Laws of 1881, entitled 'An act to amend chapter 303 of the Laws of 1871, entitled An act to amend title 16, chapter 8, part 3 of the Revised Statutes, relative to proceedings for the draining of swamps, marshes and other low or wet lands, and for draining farm lands.'" (No. 1156.)

"An act to amend section 681 of the Code of Criminal Procedure, relating to indictments against corporations." (No. 1120.)

"An act to amend subdivision 4 of section 640 of the Penal Code." (No. 1169.)

"An act for the construction of a bridge across South bay, in the county of Washington, and making an appropriation therefor." (No. 1007.)

The Senate returned the following entitled Senate bills, with a message that they have concurred in the amendments of the Assembly thereto:

"An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act, all existing special and local laws affecting public interests in the city of Brooklyn.'" (Rec. No. 182.)

"An act for the relief of Michael Dolan and George L. Loutrel." (Rec. No. 178.)

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act, and to declare the special and local laws affecting public interests in the city of New York,' in relation to additional free public floating baths." (Rec. No. 57.)

"An act to amend section 3 of chapter 180 of the Laws of 1845, entitled 'An act to reduce the number of town officers and town and county expenses, and to prevent abuses in auditing town and county accounts.'" (Rec. No. 78.)

"An act to create two additional local inferior courts in the city of Brooklyn." (Rec. No. 234.)

Ordered, That the Clerk return said bills to the Senate.

The Senate returned the following entitled bills with a message that they have concurred in the passage of the same, as amended.

"An act to authorize the board of trustees of the village of Peekskill to purchase real estate and erect a building thereon for the use of the fire department of said village, and to issue bonds therefor." (No. 716.)

"An act to authorize the repairing of the damage to a public highway leading from the village of Castorland to the bridge over the Black river in the town of Denmark, in the county of Lewis, caused by the overflow of said river, by reason of the State dam thereon, and to so alter said highway as to prevent future damages from said cause, and making an appropriation therefor." (No. 619.)

"An act to amend section 8 of title 2, and section 7 of title 3 of chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,' and the acts amendatory thereof." (No. 59.)

"An act to amend chapter 463 of the Laws of 1860, entitled 'An act to revise the charter of the city of Oswego,' and the acts amendatory thereof." (Int. No. 1136.)

"An act to amend section 11 of chapter 84 of the Laws of 1887, entitled 'An act to amend chapter 410 of the Laws of 1882, entitled An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in relation to the powers, duties, and health fund of the board of health, and of the health department of the city of New York, and for the preservation of the public health." (No. 502.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

"An act to amend chapter 129 of the Laws of 1872, entitled 'An act to amend an act passed May 3, 1870, entitled An act to amend an act to incorporate the city of Troy, passed April 12, 1816, and the several acts amendatory thereto, and also to amend other acts relating to the city of Troy,' and the acts amendatory of said chapter 129, relative to the making of public improvements in said city, and assessments therefor, and to authorize said city to contribute to the expense of such improvements, and to issue bonds therefor, and to create a public improvement commission in said city, and define its powers and duties." (No. 1167.)

"An act to amend chapter 292 of the Laws of 1888, entitled 'An act to authorize the purchase of lands for the erection of State armories, and the taking of the said lands for said armories where agreement cannot be made with the owner or owners of said lands by the exercise of the right of eminent domain, and making the cost thereof county charges.'" (No. 607.)

"An act to authorize the Board of Claims to hear, audit and deter-

mine the claim of John F. McGowan, and to make an award thereon." (No. 415.)

"An act to enable the mayor and common council of Long Island City to borrow money for the purpose of increasing the water supply and laying additional water pipes in said city." (No. 1105.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled bills:

"An act making an appropriation to perpetuate the memory of the valor of the defenders of Fort Defiance, the middle fort of the Schoharie valley, in repelling the attack of Sir John Johnson, October 17, 1780." (No. 872.)

"An act to provide for the erection of an armory in Malone village, in the county of Franklin, and making an appropriation therefor." (No. 873.)

"An act in relation to railroad corporations." (No. 1050.)

"An act supplementary thereto and amendatory of chapter 426 of the Laws of 1847, entitled 'An act to provide for the incorporation of villages,' and the various acts amendatory thereof so far as the same relate to the village of Niagara Falls." (No. 517.)

"An act to provide for the construction of a swing or lift-bridge over the Erie canal on Clinton street in the city of Syracuse, in the place of the present bridge at that point, and making an appropriation therefor." (No. 724.)

Ordered, That the Clerk deliver said bills to the Governor.

On motion of Mr. Crosby, the House adjourned.

FRIDAY, MAY 10, 1889.

The House met pursuant to adjournment.

Prayer by Rev. C. Mason Jones.

On motion of Mr. Andrus, the journal of yesterday was approved without being read.

Mr. Young offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 872, entitled "An act making an appropriation to perpetuate the valor of the defenders of Fort Defiance, the middle fort of the Schoharie Valley, in repelling the attack of Sir John Johnson, October 17, 1780," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

On motion of Mr. Andrus, and by unanimous consent, the committee of the whole was discharged from the further consideration of bill (No. 675) entitled "An act to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,' and

the acts amendatory thereof," and the same was ordered to a third reading and to be read the third time on Monday evening next.

On motion of Mr. Yetman, and by unanimous consent, Senate bill No. 440, entitled "An act further to amend chapter 819 of the Laws of 1866, entitled 'An act to incorporate the village of New Brighton,'" now on the order of third reading, was ordered to be read the third time on Monday evening.

Mr. Ainsworth introduced a bill entitled "An act to provide for the election of school directors in the several towns of this State, and to prescribe their powers and duties" (Int. No. 1242), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Ainsworth, and by unanimous consent, the rules were suspended and said bill ordered to a third reading and printed, and when printed to be committed to the committee on public education, retaining its place on the order of third reading.

Mr. Nixon introduced a bill entitled "An act to authorize the highway commissioners of the towns of Westfield and Chautauqua, of Chautauqua county, N. Y., or either of the said commissioners, to open a road through the town of Portland, and to provide for the expense and maintenance of the same" (Int. No. 1243), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Nixon, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Fish	Lewis	Schaaff
Adams	Connelly	Fitts	Little	Sheehan
Ainsworth	Coon	Gibbs	Loder	Sheldon
Andrus	Cottrell	Greene	Longley	Smith, C.
Aspinall	Cronin	Guenther	McAdam	Smith, T.
Baker, A. B.	Crosby	Haffner	McCann	Sperry
Baker, A. H.	Curtis	Hagan	McCarren	Stevens
Bauer	Davidson	Haggerty	McMaster	Upson
Blake	Decker	Hamilton	Mead	Van Gorder
Blanchfield	Demarest	Harwood	Moody	Walters
Blumenthal	Dinkelspiel	Hitt	Murray	West
Brown	Donaldson	Hughes	Nixon	Whipple
Bush, R. P.	Dunham	Husted	Pearsall	Yates
Carson	Dunlap	Kimball	Saunders	Yetman
Cheney	Edwards	King	Savery	Young
Clarke, C. C.	Endres	Lane	Saxton	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker called from the table the report of the subcommittee of the whole (Assem. Doc. No. 102), in favor of the passage of the following entitled bills:

Int. 399, No. 731, "An act to amend chapter 62 of the Laws of 1853, entitled 'An act to regulate the construction of roads and streets across railroad tracks' [with amendments]."

Mr. Martin moved that said bill be recommitted to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Senate (not printed) Rec. No. 101, "An act to amend chapter 230 of the Laws of 1884, entitled 'An act to authorize and enable the county of Kings, for the care, custody and relief of its poor and insane, to purchase, erect and maintain, outside of the limits of said county, a farm and buildings, and to issue bonds to meet the expense thereof.'"

Mr. Sperry moved that said bill be recommitted to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Int. 879, No. 1011, "An act authorizing railroad corporations which have purchased the right, franchise and privilege of using streets, roads, avenues, parks or public places at public auction for a percentage per annum of their gross receipts, to use the tracks of other railroad companies."

Int. 435, No. 1059, "An act to amend chapter 409 of the Laws of 1882, entitled 'An act to revise the statutes of this State relating to banks, banking and trust companies.'"

Int. 993, No. 1232, "An act to amend chapter 623, Laws of 1887, entitled 'An act to amend chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game.'"

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bills ordered to a third reading, and referred to the committee on revision.

Mr. Peck, from the subcommittee of the whole, to which was referred the bill No. 1134, Int. No. 1085, entitled "An act to incorporate the River Bridge Company," reported in favor of the passage of the same with amendments.

Mr. Crosby raised the point of order that a bill to grant a franchise could not be referred to the subcommittee of the whole.

Mr. Speaker decided the point of order well taken.

Said bill was restored to its place on general orders.

The Senate returned the bill entitled "An act to amend section 9 of title 3 of chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages'" (No. 48), with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, line 7, strike out the word "one" and insert the word "two," and change the word "year" to "years."

Same section, line 12, strike out the words "six months" and insert the words "one year."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority

of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Asker	Connelly	Greene	Lewis	Nixon
Adams	Cottrell	Groat	Little	Pearsall
Ainsworth	Cronin	Guenther	Loder	Roesch
Andrus	Curtis	Haffner	Longley	Saunders
Aspinall	Davidson	Hagan	McAdam	Savery
Baker, A. B.	Decker	Haggerty	McCann	Saxton
Baker, A. H.	Demarest	Harwood	McCarren	Schaaff
Bauer	Dinkelspiel	Hornidge	McKenzie	Sheldon
Blake	Donaldson	Hughes	McMaster	Smith, C.
Blanchfield	Duffy	Husted	Mead	Smith, T.
Blumenthal	Dunlap	Kent	Mesick	Sperry
Bush, R. P.	Edwards	Kerrigan	Miley	Sullivan
Carson	Endres	Kimball	Miller	Van Gorder
Cheney	Fish	King	Moody	Walters
Clarke, C. C.	Fitts	Lane	Mullaney	West
Comstock	Gibbs	Larmon	Murray	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

A message from the Senate was received and read, in the words following:

IN SENATE, *May 7, 1889.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 496) entitled "An act to provide for the erection of an armory in the county of Kings for the Thirteenth regiment National Guard, State of New York, and making an appropriation therefor, and for the acquisition by the county by cession by the city of Brooklyn and authorizing such cession, or by purchase and making an appropriation therefor, also to provide for the taking of real estate for such site by commission in case the same cannot be taken by agreement." (Rec. No. 192.)

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. O'Connor, and by unanimous consent, the same was amended as follows:

At the beginning of section 1, strike out the words "It shall be the duty of the mayor of the city of Brooklyn, the commanding officer of the Thirteenth regiment National Guard, State of New York, John B. Woodward, president of the department of parks, Timothy L. Woodruff and Howard M. Smith, who are hereby made and constituted a commission for the purpose of this act," and insert in lieu thereof the words "The mayor of the city of Brooklyn, the president of the department of parks in the city of Brooklyn, the county clerk of the county of Kings, the county treasurer of the county of Kings and the commanding officer of the Thirteenth regiment, National Guard of the

State of New York, are hereby made and constituted a commission for the purposes of this act, and are hereby authorized."

And as amended, passed, reëngrossed and ordered to be sent to the Assembly for concurrence.

By order.

JOHN S. KENYON, *Clerk.*

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Haggerty	McCann	Schaaff
Adams	Cottrell	Harwood	McCarren	Sheldon
Ainsworth	Cronin	Hayes	McKenzie	Smith, C.
Andrus	Crosby	Hitt	McLaughlin	Smith, T.
Aspinall	Curtis	Hornidge	Mead	Sperry
Baker, A. B.	Davidson	Hughes	Mesick	Stevens
Baker, A. H.	Decker	Husted	Miley	Sullivan
Barton	Demarest	Kent	Moody	Towne
Bauer	Dinkelspiel	Kimball	Murray	Townsend
Blake	Donaldson	Lane	Newschafer	Walters
Blanchfield	Dunham	Larmon	O'Neil	West
Blumenthal	Dunlap	Lewis	Pearsall	Whipple
Bush, R. P.	Edwards	Little	Rhodes	Yates
Carson	Endres	Loder	Roesch	Yetman
Cheney	Guenther	Longley	Saunders	Young
Comstock	Hagan	Martin		

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Haggerty	McCann	Schaaff
Andrus	Davidson	Harwood	McCarren	Sheldon
Aspinall	Decker	Hornidge	McKenzie	Smith, C.
Baker, A. B.	Demarest	Hughes	McLaughlin	Smith, T.
Baker, A. H.	Dinkelspiel	Husted	Mead	Sperry
Bauer	Donaldson	Kent	Mesick	Stevens
Blake	Duffy	Kerrigan	Moody	Sullivan
Blanchfield	Dunham	Lane	Mullaney	Towne
Blumenthal	Dunlap	Larmon	Murray	Townsend
Bush, R. P.	Edwards	Lewis	Newschafer	Upson
Carson	Endres	Little	Rhodes	Van Gorder

Clarke, C. C.	Enz	Loder	Rice	Walters
Comstock	Fish	Longley	Roesch	West
Connelly	Greene	Martin	Saunders	Whipple
Cottrell	Haffner	Mase	Saxton	Yetman
Cronin	Hagan	McAdam		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

Also, the following:

IN SENATE, *May 7, 1889.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 539) entitled "An act conferring jurisdiction upon the Board of Claims to hear and determine certain claims against the State, and to make awards." (Rec. No. 282.)

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. Kellogg, and by unanimous consent, the same was amended as follows:

Section 1, line 11, after the word "jurisdiction" insert the words "as if the same had been duly filed within two years after the same accrued."

Add at the end of section 1, after the word "commissioners," the words "Said claim may be filed with said Board of Claims at any time within one year after the passage of this act."

And as amended, passed, reëngrossed and ordered to be sent to the Assembly for concurrence.

By order,

JOHN S. KENYON, *Clerk.*

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Haffner	Little	Saxton
Adams	Cottrell	Hagan	Loder	Schaaff
Aspinall	Cronin	Hamilton	Mase	Sheldon
Baker, A. B.	Crosby	Harwood	McAdam	Smith, C.
Barton	Curtis	Hayes	McCann	Sperry
Bauer	Davidson	Hitt	McCarren	Stevens
Blake	Decker	Hornidge	McKenzie	Sullivan
Blanchfield	Demarest	Hughes	McLaughlin	Towne
Blumenthal	Dinkelspiel	Husted	Mead	Townsend
Brownell	Donaldson	Kent	Mesick	Upson
Bush, R. P.	Duffy	Kerrigan	Miley	Van Gorder
Carson	Dunham	Kimball	Moody	Walters
Cheney	Dunlap	King	Murray	West
Clarke, C. C.	Edwards	Lane	Nixon	Yetman
Comstock	Endres	Larmon	Saunders	Young
Connelly	Enz	Lewis		

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Clarke, C. C.	Endres	Little	Saxon
Adams	Comstock	Enz	Loder	Schaaff
Ainsworth	Connelly	Fish	Longley	Sheldon
Andrus	Cottrell	Greene	Martin	Smith, C.
Aspinall	Crosby	Guenther	Mase	Sperry
Baker, A. B.	Curtis	Haffner	McAdam	Stevens
Baker, A. H.	Davidson	Hagan	McCann	Sullivan
Barton	Decker	Harwood	McCarren	Townsend
Bauer	Demarest	Hayes	McKenzie	Upton
Blake	Dinehart	Hughes	McLaughlin	Van Gorder
Blanchfield	Dinkelspiel	Husted	Murray	Walters
Blumenthal	Donaldson	Kimball	Newschafer	West
Brownell	Duffy	King	Nixon	Whipple
Bush, R. P.	Dunham	Lane	Rice	Yates
Carson	Dunlap	Larmon	Saunders	Yetman
Cheney	Edwards	Lewis	Savery	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

A message from the Senate was received and read in the words following:

IN SENATE, *May 7, 1889.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill No. 570, entitled "An act to empower the trustees of the Willard Asylum for the Insane to grant a right of way to the Geneva and Van Ettenville Railway Company through the lands of the State appurtenant to said asylum and under the charge and management of said trustees." (Rec. No. 254.)

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. Sweet, and by unanimous consent, the same was amended as follows:

Add to section 1, at the end thereof, the words "and as shall be approved by the Comptroller of the State."

Section 2, line 4, engrossed bill, after the word "affixed" insert the words "and the approval of the Comptroller of the State indorsed thereon."

Make "§ 3" read "§ 4," and insert a new section 3 to read as follows:

"§ 3. The purchase-price to be paid by said railway company for such right of way through said lands, shall be paid into the treasury of the State, and the Comptroller of the State shall not indorse his approval upon the agreement provided for in the second section

of this act until he shall receive satisfactory evidence that such payment has been made."

Said bill, as amended was passed, re-engrossed and ordered sent to the Assembly for concurrence.

By order.

JOHN S. KENYON, *Clerk.*

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Clarke, C. C.	Guenther	Loder	Schaaff
Adams	Comstock	Haffner	Mase	Sheehan
Ainsworth	Cottrell	Hagan	McAdam	Sheldon
Andrus	Cronin	Haggerty	McCann	Smith, C.
Aspinall	Crosby	Harwood	McCarren	Smith, T.
Baker, A. B.	Curtis	Hayes	McKenzie	Sperry
Baker, A. H.	Davidson	Hitt	McLaughlin	Stevens
Barton	Decker	Hughes	Miley	Sullivan
Bauer	Demarest	Husted	Miller	Tefft
Blake	Dinkelspiel	Kerrigan	Moody	Van Gorder
Blanchfield	Donaldson	Kimball	Newschafer	Walters
Blumenthal	Dunham	King	Nixon	West
Brownell	Dunlap	Lane	Rice	Whipple
Bush, R. P.	Edwards	Larmon	Saunders	Yetman
Carson	Endres	Lewis	Savery	Young
Cheney	Greene	Little	Saxton	

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Clarke, C. C.	Greene	Mase	Schaaff
Adams	Comstock	Haffner	McCann	Sheldon
Ainsworth	Connelly	Hamilton	McCarren	Smith, C.
Andrus	Cottrell	Harwood	McKenzie	Sperry
Aspinall	Cronin	Hayes	McLaughlin	Stevens
Baker, A. B.	Curtis	Hitt	Mesick	Sullivan
Baker, A. H.	Davidson	Hughes	Miley	Tefft
Barton	Decker	Kerrigan	Moody	Upson
Bauer	Demarest	Kimball	Murray	Van Gorder
Blake	Dinkelspiel	Lane	Nixon	Walters
Blanchfield	Donaldson	Larmon	Rice	West

Blumenthal	Dunham	Lewis	Ryan	Whipple
Brownell	Dunlap	Little	Saunders	Yates
Bush, R. P.	Edwards	Loder	Savery	Yetman
Carson	Endres	Longley	Saxton	Young
Cheney	Flaherty	Martin		

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same, as amended.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 673, entitled "An act to authorize the city of Syracuse to acquire, construct, maintain and operate a system of water-works to supply said city and its inhabitants with water, and to issue its bonds in payment therefor, and to create a board of water commissioners in and for said city," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the concurrent resolution returning to the Governor, without amendment, Assembly bill No. 58, entitled "An act to divide Steuben county into three jury districts, and providing for the erection of a court-house and holding courts therein," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read in the words following:

IN SENATE, May 7, 1889.

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill No. 575, entitled "An act to amend chapter 280 of the Laws of 1879, entitled 'An act to abolish the New York State Inebriate Asylum and to establish the Binghamton Asylum for the Chronic Insane and to provide for the management thereof,' and the acts amendatory thereof." (Rec. No. 231.)

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. Lewis, and by unanimous consent, the same was amended as follows:

Strike out the last word of section 4, "lands," and insert in place the word "hands."

Section 7, line 7, engrossed bill, after the word "also" insert the word "as."

Section 5, line 11, strike out "a" and insert the word "the."

Said bill as amended was passed, reëngrossed and ordered sent to the Assembly for concurrence.

By order.

JOHN S. KENYON, *Clerk*.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was deter-

mined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Hitt	McCann	Savery
Adams	Connelly	Hornidge	McKenzie	Saxton
Ainsworth	Cottrell	Hughes	McLaughlin	Schaaff
Andrus	Crosby	Husted	Mead	Sperry
Aspinall	Curtis	Kent	Mesick	Stevens
Baker, A. B.	Decker	Kerrigan	Miley	Sullivan
Baker, A. H.	Demarest	Kimball	Miller	Tefft
Barton	Dinkelspiel	King	Moody	Upson
Bauer	Dunham	Lane	Murray	Van Gorder
Blanchfield	Edwards	Larmon	Newschafer	Walters
Blumenthal	Endres	Lewis	Nixon	West
Brownell	Enz	Little	Pearsall	Whipple
Bush, R. P.	Greene	Loder	Rice	Yates
Carson	Haffner	Longley	Ryan	Yetman
Cheney	Hamilton	Martin	Saunders	Young
Clarke, C. C.	Harwood	Mase		

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Haffner	Longley	Savery
Adams	Connelly	Hagan	Martin	Saxton
Andrus	Cottrell	Haggerty	Mase	Schaaff
Aspinall	Crosby	Hamilton	McAdam	Sheldon
Baker, A. B.	Curtis	Harwood	McCann	Sperry
Baker, A. H.	Davidson	Hornidge	McKenzie	Stevens
Barton	Decker	Hughes	McMaster	Sullivan
Bauer	Demarest	Husted	Moffitt	Tefft
Blake	Dinkelspiel	Kerrigan	Moody	Towne
Blanchfield	Dunham	Kimball	Murray	Walters
Blumenthal	Edwards	King	Newschafer	West
Brownell	Endres	Lane	Nixon	Whipple
Bush, R. P.	Fish	Larmon	Rhodes	Yates
Carson	Flaherty	Lewis	Rice	Yetman
Cheney	Greene	Little	Saunders	Young
Clarke, C. C.	Guenther	Loder		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

A message from the Senate was received and read in the words following:

IN SENATE, *May 7, 1889.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned Senate bill No. 396, entitled "An act to amend chapter 192 of the Laws of 1880, entitled 'An act to incorporate the German Masonic Temple Association of the city of New York.'" (Rec. No. 197.)

The vote upon the final passage of said bill having been reconsidered, On motion of Mr. Stadler, and by unanimous consent, the same was amended as follows:

Strike out section 1, and insert the following:

"SECTION 1. Section 2 of chapter 192 of the Laws of 1880, entitled 'An act to incorporate the German Masonic Temple Association of the city of New York,' is hereby amended to read as follows:

"§ 2. The corporation so created is hereby authorized and empowered to take and hold by purchase, gift, bequest or devise real and personal property to the amount of \$200,000 for the objects and purposes of its incorporation subject, however, to the limitations of chapter 360 of the Laws of 1860, entitled 'An act relating to wills.' The said corporation is hereby authorized to admit as an additional member or members thereof, any other masonic lodge or lodges working in the German language and under the jurisdiction of the Grand Lodge of the State of New York, in addition to those specified in the first section of this act. Such admission shall be made by a majority vote of the board of directors of the corporation hereby created. Any additional member or members of said corporation admitted as aforesaid, shall be entitled to the same rights and privileges, and be chargeable with the same duties as the other members of the said corporation in pursuance of this act."

Section 2, lines 2 and 3, strike out the words "of incorporation passed May 7, 1880."

And as amended passed, reëngrossed, and ordered to be sent to the Assembly for concurrence.

By order.

JOHN S. KENYON, *Clerk.*

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Guenther	McCann	Sheldon
Adams	Cottrell	Haffner	McKenzie	Smith, C.
Ainsworth	Cronin	Haggerty	McMaster	Smith, T.
Andrus	Crosby	Hamilton	Mead	Sperry
Aspinall	Curtis	Hayes	Mesick	Stevens
Baker, A. B.	Davidson	Hughes	Moffitt	Sullivan

Bauer	Decker	Kent	Moody	Tefft
Blake	Demarest	Kerrigan	Murray	Towne
Blanchfield	Dinkelspiel	Kimball	Nixon	Townsend
Blumenthal	Donaldson	Lane	Rhodes	Van Gorder
Brownell	Duffy	Larmon	Rice	Walters
Bush, R. P.	Dunlap	Lewis	Saunders	West
Carson	Edwards	Little	Savery	Whipple
Cheney	Endres	Loder	Saxton	Yates
Clarke, C. C.	Enz	Longley	Schaaff	Yetman
Comstock	Greene	McAdam	Sheehan	Young

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Davidson	Harwood	Mesick	Smith, C.
Aspinall	Decker	Hughes	Miley	Smith, M. A
Baker, A. B.	Demarest	Husted	Moffitt	Sperry
Bauer	Dinkelspiel	Kent	Moody	Stevens
Blake	Duffy	Kerrigan	Murray	Sullivan
Blanchfield	Dunlap	Kimball	Newschafer	Tefft
Blumenthal	Edwards	King	Nixon	Towne
Brownell	Endres	Lane	Pearsall	Townsend
Bush, R. P.	Enz	Larmon	Rhodes	Upson
Carson	Fish	Lewis	Rice	Van Gorder
Cheney	Graham	Little	Roesch	Walters
Clarke, C. C.	Greene	Loder	Saunders	West
Comstock	Groat	McAdam	Savery	Whipple
Connelly	Guenther	McCann	Saxton	Yates
Cottrell	Haffner	McKenzie	Schaaff	Yetman
Cronin	Hagan	Mead	Sheldon	Young
Curtis				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

The Senate returned the concurrent resolution recalling from the Governor for the purpose of amendment Assembly bill No. 872, entitled "An act making an appropriation to perpetuate the memory of the valor of the defenders of Fort Defiance, the middle fort of the Schoharie valley, in repelling the attack of Sir John Johnson, October 17, 1780," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The privileges of the floor were extended to Hons. J. H. Van Voorhis and John T. Gorman.

Messrs. Hamilton, Le Roy and Murray presented petitions relative to the misappropriation of common school money; which were referred to the committee on public education.

The Speaker and Clerk referred the following entitled bill to the subcommittee of the whole:

Int. 1187, No. 1219, "An act to enable companies or individuals owning street railways in any of the cities or towns of the State of New York, having less than 1,000,000 inhabitants, operated by horse-power traction, to change the same to pneumatic, electric or cable traction."

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to regulate fishing in Glen lake, Warren county" (No. 837), reported the same with the recommendation that it be amended as follows:

Section 1, line 1, after the words "Glen lake" insert the words "formerly known as Long pond, in the town of Queensbury."

Section 3, line 5, after the word "bass" insert the words "from the waters of Glen lake."

Section 4, line 3, add at the end thereof the words "or had in his possession."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 48 of the Laws of 1878, entitled 'An act to authorize the transfer to the State of the Soldiers' Home and the appointment of a board of trustees for its completion and control'" (No. 544), reported the same with the recommendation that it be amended as follows:

Section 1, line 2, after the word "seventy" insert the word "eight."

Same section, line 4, add at the end thereof the words "to be designated and numbered respectively, sections eight, nine and ten, which shall read as follows:"

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 366 of the Laws of 1886, entitled 'An act to amend chapter 506 of the Laws of 1884, entitled 'An act to authorize Long Island City to create a fund to liquidate annual arrearages'" (No. 583), reported the same with the recommendation that it be amended as follows:

Section 1, line 3, after the word "arrearages" insert as amended by chapter 366 of the Laws of 1886."

Amend the title by striking out all after the word "chapter" in line 1, down to and including the word "chapter" in line 3. Also, by adding at the end thereof "as amended by chapter 366 of the Laws of 1886."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 388 of the Laws of 1879, entitled 'An act to amend chapter 549 of the Laws of 1867, entitled 'An act to amend an act passed February 11, 1860, entitled 'An act in

relation to the cutting of ice in the Hdson river, providing additional safeguards for travelers and teams, and conferring jurisdiction over offenses mentioned in said act" (No. 1170), reported the same with the recommendation that it be amended as follows:

Section 1, line 1, strike out the words "The added" and substitute the word "of" for the word "to."

Same section, lines 1, 2 and 3, strike out all after the word "chapter" in line 1, down to and including the word "chapter" in line 3.

Same section, line 13, substitute the word "is" for the words "shall be."

Amend the title by striking out all after the word "chapter" in the first line down to and including the word "sixty" in line 7, and inserting in lieu thereof the words "twenty of the Laws of 1860," and by striking out all after the word "river" in line 8, and inserting the words "as amended by chapter 549 of the Laws of 1867, and chapter 388 of the Laws of 1879."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to provide for the welfare of the Indians in this State" (No. 958), reported the same with the recommendation that it be amended as follows:

Section 8, line 6, after the word "all" insert the words "the laws."

Same section, line 7, after the word "and" insert the word "be."

Add at the end of section 11, the words "payable on the warrant of the Comptroller, to said commissioners on the proper vouchers for such expenses."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to prohibit the publication by newspapers and other publications in this State, of descriptions or announcements of certain unlawful acts" (No. 1189), reported the same with the recommendation that it be amended as follows:

Section 1, line 9, after the word "to" insert the words "take place."

Section 2, line 2, strike out the word "or" and insert in lieu thereof the words "and be."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend section 1 of title 19, entitled 'Local Improvements,' of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interest in the city of Brooklyn'" (No. 1196), reported the same with the recommendation that it be amended as follows:

Section 1, line 23, change the word "and," at end of line, to the word "or."

Amend the title by striking out the words "entitled 'Local Improvements,'" in lines 1 and 2, and adding at the end of the title the words "relating to local improvements."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendation:

"An act to amend chapter 404 of the Laws of 1875, entitled 'An act to authorize appropriations for the poor adult blind in the city of New York not provided for in public or private institutions.'" (No. 1213.)

"An act to amend chapter 582 of the Laws of 1880, entitled 'An act to provide for excavating and tunneling and bridging for transportation purposes within villages and cities of this State.'" (No. 1191.)

"An act to authorize and empower the city of Rochester to acquire lands, waterways, ponds and streams in the city of Rochester, or in any of the towns adjoining said city, or any easement, either perpetual or for a term of years, in any such lands, waterways, ponds or streams, for the purpose of drainage and sewerage." (No. 1176.)

Ordered, That said bills be engrossed for a third reading.

A message from the Senate was received and read, in the words following:

IN SENATE, *May 7, 1889.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill No. 620, entitled "An act to amend an act entitled 'An act to amend chapter 574 of the Laws of 1873, entitled An act to incorporate the Old Guard of the city of New York.'" (Rec. No. 267.)

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. Stadler, and by unanimous consent, the same was amended as follows:

Section 1, line 12, strike out all after the words "United States."

And, as amended, passed, reëngrossed and ordered to be sent to the Assembly for concurrence.

By order.

JOHN S. KENYON, *Clerk.*

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Haffner	McKenzie	Sheldon
Adams	Curtis	Harwood	Mead	Smith, C.
Ainsworth	Davidson	Hitt	Miley	Sperry
Andrus	Decker	Hughes	Moffitt	Stevens
Aspinall	Demarest	Husted	Moody	Sullivan
Baker, A. B.	Dinkelspiel	Kent	Newschafer	Tefft
Blake	Donaldson	Kimball	Nixon	Towne
Blanchfield	Duffy	King	Pearsall	Townsend
Blumenthal	Dunham	Lane	Rhodes	Van Gorder
Bush, G. H.	Dunlap	Larmon	Rice	Walters

Bush, R. P.	Edwards	Lewis	Roesch	West
Carson	Endres	Little	Saunders	Whipple
Cheney	Fitts	Loder	Savery	Yates
Clarke, C. C.	Gibbs	Longley	Saxton	Yetman
Connelly	Groat	Mase	Schaaff	Young
Cottrell	Guenther	McCann	Sheehan	

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Haffner	Longley	Smith, C.
Adams	Curtis	Hagan	Martin	Sperry
Ainsworth	Davidson	Haggerty	McCann	Stevens
Andrus	Decker	Harwood	McCarren	Sullivan
Aspinall	Demarest	Hitt	McKenzie	Tefft
Baker, A. B.	Dinkelspiel	Hornidge	Miley	Towne
Bauer	Donaldson	Hughes	Murray	Townsend
Blake	Duffy	Husted	Pearsall	Upson
Blanchfield	Dunham	Kent	Roesch	Van Gorder
Blumenthal	Dunlap	Kimball	Saunders	Walters
Bush, G. H.	Edwards	King	Savery	West
Cheney	Endres	Lane	Saxton	Whipple
Clark, C. C.	Enz	Larmon	Schaaff	Yates
Comstock	Fish	Lewis	Sheehan	Yetman
Coon	Greene	Little	Sheldon	Young
Cottrell	Guenther	Loder		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

A message from the Senate was received and read, in the words following:

IN SENATE, May 7, 1889.

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill No. 132, entitled "An act to amend section 1768 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interest in the city of New York.'" (Rec. No. 55.)

The vote upon the final passage of said bill having been reconsidered, On motion of Mr. Stadler, and by unanimous consent, the same was amended as follows:

Add to the title the words "relating to stenographers for the board of coroners."

And as amended passed, and ordered to be sent to the Assembly for concurrence.

By order.

JOHN S. KENYON, *Clerk*.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Hamilton	McAdam	Sheldon
Adams	Davidson	Harwood	McCann	Smith, C.
Ainsworth	Decker	Hitt	McCarren	Smith, T.
Andrus	Demarest	Hornidge	McMaster	Sperry
Aspinall	Dinkelspiel	Hughes	Mesick	Stevens
Baker, A. B.	Donaldson	Husted	Miley	Sullivan
Bauer	Dunham	Kelly	Moody	Tefft
Blake	Dunlap	Kent	Murray	Towne
Blanchfield	Edwards	Kimball	Newschafer	Townsend
Brownell	Endres	King	Rice	Treadway
Bush, G. H.	Enz	Lane	Roesch	Van Gorder
Cheney	Flaherty	Larmon	Ryan	Walters
Clarke, C. C.	Gibbs	Lewis	Saunders	West
Comstock	Graham	Little	Savery	Whipple
Coon	Greene	Loder	Saxton	Yates
Cottrell	Guenther	Longley	Schaaff	Yetman
Cronin	Hagan	Martin	Sheehan	Young
Crosby	Haggerty	Mase		

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Groat	McCann	Sheldon
Adams	Curtis	Haffner	McKenzie	Smith, C.
Ainsworth	Dante	Hagan	Mead	Smith, T.
Andrus	Davidson	Haggerty	Mesick	Sperry
Aspinall	Decker	Hitt	Miley	Stevens
Baker, A. B.	Demarest	Hughes	Moffitt	Tefft
Bauer	Dinkelspiel	Husted	Moody	Towne
Blake	Donaldson	Kent	Murray	Treadway
Blanchfield	Duffy	Kerrigan	Newschafer	Upson
Brownell	Dunham	Lane	Nixon	Van Gorder
Bush, G. H.	Dunlap	Larmon	Pearsall	Walters
Cheney	Edwards	Lewis	Roesch	West
Clarke, C. C.	Endres	Little	Saunders	Whipple
Comstock	Flaherty	Longley	Savery	Yates
Coon	Graham	Mase	Saxton	Yetman
Cottrell	Greene	McAdam	Schaaff	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

A message from the Senate was received and read in the words following:

IN SENATE, *May* 7, 1889.

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned Senate bill No. 117, entitled "An act in relation to the Monticello and Fallsburgh Turnpike Road Company." (Rec. No. 32.)

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. Ward, and by unanimous consent, the same was amended as follows:

Section 2; line 1, strike out the words "corporation hereby created" and insert in place thereof the words "said corporation, the Monticello and Fallsburgh Turnpike Road Company."

And as amended passed, reëngrossed, and ordered to be sent to the Assembly for concurrence.

By order.

JOHN S. KENYON, *Clerk*.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Guenther	McCann	Smith, C.
Adams	Davidson	Haffner	McKenzie	Smith, T.
Ainsworth	Decker	Hagan	Mead	Sperry
Andrus	Demarest	Haggerty	Mesick	Stevens
Aspinall	Dinkelspiel	Harwood	Miley	Sullivan
Baker, A. B.	Donaldson	Hitt	Moffitt	Tefft
Bauer	Duffy	Hornidge	Moody	Towne
Blake	Dunham	Hughes	Murray	Treadway
Blanchfield	Dunlap	Husted	Pearsall	Van Gorder
Blumenthal	Endres	Kent	Rice	Walters
Brownell	Enz	Larmon	Roesch	West
Bush, G. H.	Fish	Lewis	Saunders	Whipple
Cheney	Gibbs	Little	Savery	Yates
Clarke, C. C.	Graham	Longley	Saxton	Yetman
Comstock	Greene	Martin	Schaaff	Young
Cottrell	Groat	Mase	Sheehan	

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
 { NOES 00 }

Those who voted in the affirmative, were

Acker	Demarest	Haggerty	Longley	Schaaff
Andrus	Dinkelspiel	Hamilton	Mase	Smith, C.
Baker, A. B.	Donaldson	Harwood	McAdam	Smith, T.
Blake	Duffy	Hitt	McCann	Sullivan
Blanchfield	Dunham	Hornidge	McCarren	Tefft
Blumenthal	Dunlap	Hughes	McKenzie	Towne
Bush, G. H.	Edwards	Husted	Mesick	Townsend
Bush, R. P.	Endres	Kent	Miley	Treadway
Cheney	Fitts	Kerrigan	Moody	Van Gorder
Clarke, C. C.	Flaherty	Kimball	Mullaney	Walters
Comstock	Graham	King	Murray	West
Cottrell	Greene	Lane	Pearsall	Whipple
Crosby	Groat	Larmon	Roesch	Yates
Curtis	Guenther	Lewis	Saunders	Yetman
Davidson	Haffner	Little	Savery	Young
Decker	Hagan	Loder	Saxton	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

A message from the Senate was received and read in the words following:

IN SENATE, *May 7, 1889.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned Senate bill, Int. No. 82, entitled "An act to amend section 640 of the Penal Code, relating to fish stealing." (Rec. No. 20.)

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. Coggeshall, and by unanimous consent the same was amended as follows:

Strike out lines 4 to 9 inclusive, of printed bill, and insert in lieu thereof the following:

"12. Takes or attempts to take without the consent of the owner of any lake or pond, any fish from the waters thereof, provided such lake or pond is so situated that fish cannot pass therinto from the water of any other lake, pond or stream, either public or owned by other persons; or without the consent of the owner of any such lake or pond, places therein any pisciverous fish or any poison or other substance injurious to the health of fish, or lets the water out of any such lake or pond, with intent to take fish therefrom or harm fish therein."

And as amended passed, reëngrossed, and ordered to be sent to the Assembly for concurrence.

By order.

JOHN S. KENYON, *Clerk.*

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dinkelspiel	Harwood	McCarren	Schaaff
Adams	Donaldson	Hitt	McKenzie	Sheehan
Andrus	Duffy	Hornidge	McLaughlin	Smith, T.
Baker, A. B.	Dunham	Hughes	Miley	Sullivan
Blake	Dunlap	Husted	Miller	Tefft
Blumenthal	Edwards	Kimball	Moffitt	Towne
Bush, G. H.	Endres	King	Moody	Townsend
Cheney	Enz	Larmon	Murray	Treadway
Clarke, C. C.	Fish	Lewis	Pearsall	Van Gorder
Comstock	Flaherty	Little	Rhodes	Walters
Connelly	Greene	Loder	Rice	West
Cottrell	Groat	Longley	Roesch	Whipple
Curtis	Guenther	Martin	Saunders	Yates
Davidson	Hagan	Mase	Savery	Yetman
Decker	Haggerty	McAdam	Saxton	Young
Demarest	Hamilton	McCann		

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Guenther	Mase	Sheldon
Adams	Curtis	Haggerty	McAdam	Smith, C.
Ainsworth	Davidson	Harwood	McCann	Sperry
Andrus	Decker	Hitt	McCarren	Stevens
Aspinall	Demarest	Hornidge	McLaughlin	Sullivan
Baker, A. B.	Dinkelspiel	Hughes	Mead	Tefft
Blake	Donaldson	Husted	Moody	Townsend
Blanchfield	Duffy	Kent	Mullaney	Treadway
Blumenthal	Dunlap	Kerrigan	Murray	Van Gorder
Bush, G. H.	Edwards	Kimball	Rhodes	Walters
Cheney	Endres	King	Ryan	West
Clarke, C. C.	Enz	Larmon	Saunders	Whipple
Comstock	Fish	Lewis	Savery	Yates
Connelly	Flaherty	Little	Saxton	Yetman
Cottrell	Gallup	Loder	Schaaff	Young
Cronin	Graham	Longley		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

A message from the Senate was received and read in the words following:

IN SENATE, May 7, 1889.

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill No. 628, entitled "An act to amend chapter 65 of the Laws of 1886, entitled 'An act to secure adequate compensation for the right to construct, maintain, use, operate or extend street railroads in cities and villages,' as amended by section 2 of chapter 622 of the Laws of 1887." (Rec. No. 298.)

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. McNaughton, and by unanimous consent, the same was amended as follows:

Commencing in line 1, section 1, engrossed bill, strike out the words "chapter 622 of the Laws of 1887, entitled 'An act to amend chapter 642 of the Laws of 1886, entitled An act to amend.'"

Same section, line 7, after the word "villages" insert the words "as amended by chapter 642 of the Laws of 1886, and by chapter 622 of the Laws of 1887."

And as amended passed, reëngrossed, and ordered to be sent to the Assembly for concurrence.

By order.

JOHN S. KENYON, *Clerk*.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Groat	Loder	Ryan
Adams	Crosby	Guenther	Longley	Saunders
Ainsworth	Curtis	Haffner	Martin	Saxton
Andrus	Davidson	Hagan	McAdam	Schaaff
Aspinall	Decker	Haggerty	McCarren	Sheehan
Baker, A. B.	Demarest	Hamilton	McKenzie	Sheldon
Bauer	Dinkelspiel	Harwood	McLaughlin	Sperry
Blake	Donaldson	Hayes	Mead	Stevens
Blanchfield	Duffy	Hitt	Miller	Sullivan
Blumenthal	Dunlap	Hughes	Moffitt	Tefft
Brownell	Edwards	Husted	Murray	Towne
Bush, G. H.	Endres	Kent	Newschafer	Townsend
Bush, R. P.	Enz	Kerrigan	Nixon	Van Gorder
Cheney	Fish	Kimball	Pearsall	Walters
Comstock	Flaherty	King	Rhodes	West
Connelly	Gallup	Lane	Rice	Whipple
Cottrell	Graham	Little	Roesch	Young

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Hamilton	McCarren	Schaaff
Adams	Decker	Hayes	McKenzie	Sheehan
Ainsworth	Dinkelspiel	Hitt	McLaughlin	Sheldon
Andrus	Donaldson	Hornidge	McMaster	Smith, C.
Aspinall	Dunham	Hughes	Mead	Sperry
Baker, A. B.	Dunlap	Husted	Miller	Stevens
Bauer	Endres	Kelly	Moffitt	Sullivan
Blake	Fish	Kent	Mullaney	Tefft
Blanchfield	Flaherty	Kerrigan	Murray	Towne
Blumenthal	Gallup	Kimball	Nixon	Treadway
Bush, R. P.	Graham	Lane	Pearsall	Van Gorder
Carson	Greene	Larmon	Rhodes	Walters
Cheney	Groat	Lewis	Rice	West
Clarke, C. C.	Guenther	Little	Roesch	Whipple
Connelly	Haffner	Loder	Saunders	Yetman
Cottrell	Hagan	Longley	Savery	Young
Cronin	Haggerty	McCann	Saxton	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended

A message from the Senate was received and read in the words following:

IN SENATE, *May 8, 1889.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned Senate bill, Rec. No. 160, entitled "An act to amend chapter 133 of the Laws of 1847, entitled 'An act authorizing the incorporation of rural cemetery associations,' as amended by chapter 280 of the Laws of 1852, and as amended by chapter 238 of the Laws of 1854."

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. Robertson, and by unanimous consent, the same was amended as follows:

Strike out section 1, and insert in place thereof the following:

"SECTION 1. Section 3 of chapter 280 of the Laws of 1852, entitled 'An act further to amend the act entitled An act authorizing the incorporation of rural cemetery associations, passed April 27, 1847,' as amended by chapter 238 of the Laws of 1854, is hereby amended so as to read as follows:"

Strike out the title, and insert the following in place thereof:

"An act to amend chapter 280 of the Laws of 1852, entitled 'An act further to amend the act entitled An act authorizing the incorporation of rural cemetery associations, passed April 27, 1847,' as amended by chapter 238 of the Laws of 1854."

And as amended passed, reëngrossed, and ordered to be sent to the Assembly for concurrence.

By order.

JOHN S. KENYON, *Clerk.*

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Crosby	Hagan	Longley	Saxton
Adams	Curtis	Haggerty	Martin	Schaaff
Ainsworth	Dante	Hamilton	Mase	Sheehan
Andrus	Davidson	Hayes	McAdam	Sheldon
Aspinall	Decker	Hitt	McCann	Smith, C.
Baker, A. B.	Demarest	Hornidge	McCarren	Smith, T.
Bauer	Dinkelspiel	Hughes	McKenzie	Sperry
Blake	Donaldson	Husted	McMaster	Stevens
Blanchfield	Dunlap	Kelly	Mead	Tefft
Blumenthal	Edwards	Kent	Moffitt	Townsend
Brownell	Endres	Kerrigan	Murray	Van Gorder
Bush, R. P.	Enz	Kimball	Newschafer	Walters
Carson	Flaherty	Lane	Pearsall	West
Cheney	Graham	Larmon	Rhodes	Whipple
Clarke, C. C.	Greene	Lewis	Roesch	Yates
Connelly	Guenther	Little	Saunders	Yetman
Coon	Haffner	Loder	Savery	Young
Cottrell				

For the negative,

Sullivan

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Crosby	Hagan	McCarren	Saxton
Adams	Curtis	Haggerty	McKenzie	Schaaff
Ainsworth	Davidson	Hamilton	McLaughlin	Sheehan
Andrus	Decker	Harwood	McMaster	Sheldon
Aspinall	Demarest	Hitt	Mead	Smith, C.
Baker, A. B.	Dinkelspiel	Hornidge	Mesick	Sperry
Barton	Donaldson	Hughes	Moffitt	Stevens
Bauer	Duffy	Husted	Moody	Tefft
Blake	Dunham	Kent	Murray	Towne
Blanchfield	Dunlap	Kerrigan	Newschafer	Treadway
Blumenthal	Edwards	Kimball	Nixon	Van Gorder
Bush, R. P.	Endres	King	Rhodes	Walters
Carson	Flaherty	Lane	Rice	West

Comstock	Greene	Larmon	Saunders	Whipple
Connelly	Guenther	McAdam	Savery	Young
Cottrell	Haffner	McCann		

For the negative,
Sullivan

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

The Senate sent for concurrence the following entitled bills:

"An act to amend chapter 284 of the Laws of 1888, entitled 'An act to authorize the commissioners appointed for the erection of a State armory at Saratoga Springs to improve the site donated by the county of Saratoga for the erection of said armory and to make an appropriation therefor'" (Rec. No. 360), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Donaldson, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Demarest	Hamilton	Martin	Schaaff
Adams	Dinkelspiel	Harwood	McAdam	Sheehan
Ainsworth	Donaldson	Hitt	McCann	Sheldon
Andrus	Duffy	Hornidge	McCarren	Smith, C.
Baker, A. B.	Dunlap	Hughes	McKenzie	Smith, T.
Barton	Edwards	Husted	McMaster	Sperry
Blake	Endres	Kelly	Mead	Stevens
Blanchfield	Enz	Kent	Mesick	Sullivan
Brownell	Fish	Kerrigan	Moody	Tefft
Bush, G. H.	Flaherty	Kimball	Murray	Towne
Carson	Gallup	King	O'Neil	Townsend
Clark, J.	Graham	Lane	Rhodes	Treadway
Comstock	Greene	Larmon	Rice	Van Gorder
Cottrell	Groat	Lewis	Roesch	Walters
Cronin	Guenther	Little	Saunders	West
Curtis	Hagan	Loder	Savery	Whipple
Davidson	Haggerty	Longley	Saxton	Yates
Decker				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to amend chapter 40 of the Laws of 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' and the acts amendatory thereof" (Rec. No. 362), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Sheehan, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

"An act to authorize the common council of the city of Yonkers to authorize the board of education in said city to borrow money to pay for materials and work upon certain of its school premises" (Rec. No. 363), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

"An act to amend chapter 252 of the Laws of 1884, entitled 'An act to provide for the construction, extension, maintenance and operation of street surface railroads and branches thereof in cities, towns and villages'" (Rec. No. 361), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend chapter 36 of the Laws of 1873, entitled 'An act to provide for a supply of water in the city on Yonkers'" (Rec. No. 364), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Murray, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Haffner	Martin	Saxton
Adams	Cronin	Hagan	McAdam	Schaaff
Ainsworth	Crosby	Haggerty	McCann	Sheehan
Andrus	Curtis	Harwood	McCarren	Sheldon
Aspinall	Dante	Hayes	McKenzie	Smith, C.
Baker, A. B.	Davidson	Hitt	McMaster	Smith, T.
Bauer	Decker	Hornidge	Mead	Sperry
Blake	Demarest	Hughes	Mesick	Stevens
Blanchfield	Donaldson	Husted	Moody	Tefft
Blumenthal	Duffy	Kelly	Murray	Treadway
Bush, G. H.	Edwards	Kent	Newschafer	Walters
Bush, R. P.	Endres	Kerrigan	Nixon	West
Carson	Enz	Kimball	Rice	Whipple
Cheney	Fish	Larmon	Roesch	Yates
Clarke, C. C.	Flaherty	Little	Ryan	Yetman
Comstock	Groat	Longley	Savery	Young
Connelly				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, May 10, 1889. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly herewith is returned for amendment Assembly bill No. 1208, entitled "An act to amend an act entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' with reference to the department of parks."

DAVID B. HILL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Groat	McAdam	Saunders
Adams	Crosby	Guenther	McCann	Savery
Ainsworth	Curtis	Hagan	McKenzie	Saxton
Baker, A. B.	Dante	Haggerty	McMaster	Schaaff
Baker, A. H.	Davidson	Harwood	Mead	Sheehan
Bauer	Decker	Hayes	Mesick	Smith, C.
Blake	Demarest	Hughes	Miller	Smith, T.
Blanchfield	Donaldson	Husted	Moody	Sperry
Brown	Duffy	Kent	Mullaney	Stevens
Brownell	Dunlap	Kerrigan	Murray	Tefft
Bush, G. H.	Edwards	King	Newschafer	Treadway
Bush, R. P.	Endres	Lane	O'Neil	Walters
Carson	Enz	Larmon	Rhodes	West
Cheney	Fish	Little	Rice	Whipple
Clarke, C. C.	Fitts	Loder	Roesch	Yates
Comstock	Gibbs	Longley	Ryan	Young

The vote upon the final passage of said bill having been reconsidered

On motion of Mr. Sperry, and by unanimous consent, the same was amended as follows (references to engrossed bill):

Section 1, line 1, strike out the words "the act" and insert in place thereof the words "chapter 583 of the Laws of 1888."

Same section, lines 4, 5 and 6, strike out the words "approved by the Governor June 9, 1888."

Amend the title by inserting in the second line, after the word "amend," the words "section 1 of title 16 of chapter 583 of the Laws of 1888, entitled," and insert quotation marks after the word "Brooklyn" in seventh line.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
 { NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Fish	Longley	Saunders
Adams	Coon	Flaherty	Martin	Savery
Ainsworth	Cottrell	Groat	Mase	Saxton
Baker, A. B.	Cronin	Guenther	McAdam	Schaaff
Baker, A. H.	Crosby	Hagan	McCarren	Sheehan
Barton	Curtis	Haggerty	McMaster	Sheldon
Bauer	Dante	Hamilton	Mead	Smith, C.
Blake	Davidson	Hayes	Miller	Smith, T.
Blanchfield	Decker	Hitt	Moffitt	Stevens
Blumenthal	Demarest	Hornidge	Moody	Tefft
Brownell	Dinkelspiel	Husted	Murray	Treadway
Bush, G. H.	Donaldson	Kelly	Nixon	West
Bush, R. P.	Duffy	Lane	O'Neil	Whipple
Carson	Dunlap	Larmon	Rice	Yates
Cheney	Edwards	Little	Roesch	Yetman
Clarke, C. C.	Endres	Loder	Ryan	Young
Comstock	Enz			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
 ALBANY, May 10, 1889. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 1229, entitled "An act to provide a rifle range for the use of the National Guard, and making an appropriation therefor."

DAVID B. HILL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
 { NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Hagan	McKenzie	Saxton
Adams	Connelly	Haggerty	McMaster	Schaaff
Ainsworth	Cottrell	Harwood	Mead	Sheehan
Andrus	Crosby	Hitt	Mesick	Sheldon
Aspinall	Dante	Hughes	Miller	Smith, C.
Baker, A. B.	Davidson	Kelly	Moffit	Smith, T.
Baker, A. H.	Decker	Kent	Moody	Sperry
Barton	Demarest	Kerrigan	Mullaney	Tefft
Bauer	Dinkelspiel	Kimball	Murray	Townsend

Blake	Donaldson	King	Nixon	Treadway
Blanchfield	Duffy	Lane	O'Neil	Van Gorder
Blumenthal	Edwards	Larmon	Pearsall	Walters
Brown	Endres	Little	Rice	West
Bush, G. H.	Enz	Loder	Roesch	Whipple
Bush, R. P.	Fish	Longley	Ryan	Yates
Carson	Flaherty	Martin	Saunders	Yetman
Cheney	Guenther	McAdam	Savery	Young
Clarke, C. C.	Haffner	McCarren		

The vote upon the final passage of said bill having been reconsidered, On motion of Mr. R. P. Bush, and by unanimous consent, the same was amended as follows:

Strike out the two recitals, namely, the words commencing with the word "Whereas," in the first line of the first recital, and ending with the word "follows," in the last line of the second recital.

Section 1, line 8, insert after the word "association" the words "for the term of ten years from the date of the passage of this act."

Same section, line 15, insert after the word "shall" the words "if the State so desires."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Clarke, C. C.	Enz	McAdam	Schaaff
Adams	Comstock	Flaherty	McCann	Sheehan
Ainsworth	Connolly	Gibbs	McCarren	Sheldon
Aspinall	Cottrell	Groat	McLaughlin	Smith, M. A.
Baker, A. B.	Crosby	Guenther	Mead	Sperry
Baker, A. H.	Dante	Haffner	Miller	Stevens
Barton	Davidson	Haggerty	Moffitt	Tefft
Bauer	Decker	Harwood	Moody	Towne
Blake	Demarest	Hayes	Mullaney	Treadway
Blanchfield	Dinkelspiel	Husted	Murray	Upson
Blumenthal	Donaldson	Kelly	Newschafer	Walters
Brownell	Duffy	Kent	O'Neil	West
Bush, G. H.	Dunham	Kerrigan	Rice	Whipple
Bush, R. P.	Dunlap	Kimball	Saunders	Yates
Carson	Edwards	Lane	Saxton	Young
Cheney	Endres	Little		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A special communication from the Governor was received and read in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, May 10, 1889.

To the Legislature:

The necessity of providing some relief for New York city in the matter of rapid transit is the pressing question of the hour. The importance of the subject can not be overestimated. Every citizen of that city understands and appreciates the situation and is looking to the Legislature for prompt and wise action. It is the greatest city upon the continent, but its prosperity, progress and development are hampered and restricted by insufficient and inadequate means of travel.

The problem of rapid transit can not be solved without legislative action. Mere inaction is a denial of relief, and the citizens of New York, without distinction of party, implore the Legislature not to refuse them the required legislation. The local authorities of that city with great care and entire unanimity prepared a general and comprehensive measure, which has come to be known as the "Mayor's Rapid Transit Bill," which was long since introduced in the Legislature. It met with vigorous and unexpected opposition in the Senate, but after much delay it finally passed that body and is now pending in the Assembly.

It is a measure which is not claimed to be perfect, but it must be conceded that it is reasonably free from objection, and is believed to be sufficient to accomplish the purpose desired. It is admitted to be an honest measure. It has no entangling alliances with any private or corporate schemes, but has been framed absolutely in the public interest, and is supported by all the reputable newspapers of New York city, and is favored by nearly every representative in the Legislature from that city. There would seem to be no good reason why it should not be enacted. The business interests of New York city, the voice of its best citizens, the sentiments of all classes having no private interests to subserve, unite in requesting favorable consideration.

The bill can be beaten in various ways. By invoking the obstruction of parliamentary tricks and devices, by persistently delaying its progress, by refusing to advance it, by the insertion of vicious and objectionable amendments, ostensibly designed to perfect it, but really intended to defeat it, by incumbering and identifying it with adverse and inconsistent personal, private and corporate schemes of doubtful propriety.

Public sentiment is aroused in regard to this matter, and the people will not be deceived by opposition of this nature. Those who are not for this meritorious measure are against it.

It should be frankly stated that the suspicion is abroad that this measure can not be passed unless some concessions of a political character shall accompany it, and the delays interposed to its progress and the circumstances surrounding its opposition have seemed to justify this suspicion. This is a reflection upon the Legislature which should be promptly removed. The bill is not a political one. Political promises or considerations should not be exacted as a condition of its passage. It is emphatically the people's bill, and it should be fairly treated and honestly considered upon its merits, and either passed or rejected without promises or bargainings of any kind.

Thus far it is not claimed that any improper means or influences have been invoked to aid its enactment. It is difficult to comprehend or explain why representatives from the country districts of the State, whose constituents, or themselves, are in no manner directly affected, refuse to favor a measure for the benefit of New York city, supported by all the best citizens of New York and by all its principal newspapers; and naturally such unfriendly attitude arouses the gravest apprehensions and leads to the intimation that political or other influences have instigated such action.

It is due to the good name and fame of the Legislature that this subject should be so promptly and fairly disposed of as to merit the confidence and approval of the people.

It is practically certain that if the mayor's bill does not pass there will be no relief afforded this year. It is to be hoped that the bill will not be defeated by inaction or indirection.

It should be clearly understood that the measure upon which I am urging action does not compel the adoption, or designate, or even indicate any particular system or plan or device to secure rapid transit for New York city's great and increasing population. It simply confers upon the authorities of that city the power to select some method which will give needed relief to the hundreds of thousands of those who are daily compelled to travel between their homes and their workshops or offices. The refusal of the majority in the Legislature to grant the possibility of such relief is an offense against the rights of multitudes of our most industrious citizens which assuredly will not be condoned.

I deem it my duty to earnestly and respectfully urge the prompt consideration of the rapid transit measure now pending before you. Its passage will be hailed with approval by all good citizens, and it will reflect the greatest credit upon the present Legislature and render this session memorable for all time.

DAVID B. HILL.

On motion of Mr. Sheehan, and by unanimous consent, said communication was laid upon the table and ordered printed.

(*See Doc. No. 105.*)

Mr. Sheehan then asked unanimous consent to have the committee on railroads discharged from the further consideration of Senate bill No. 630, entitled "An act to further amend chapter 606 of the Laws of 1875, entitled 'An act further to provide for the construction and operation of a steam railway or railways in the counties of this State,'" and that the same be ordered to a third reading and read the third time on Monday evening next.

Objection being made,

Mr. Sheehan moved to lay all orders of business upon the table down to motions and resolutions.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Sheehan moved to take from the table Assembly bill No. 1053, entitled "An act to further amend chapter 606 of the Laws of 1875,"

entitled 'An act further to provide for the construction and operation of a steam railway or railways in the counties of the State.'

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the negative.

{ AYES 52 }
{ NOES 52 }

Those who voted in the affirmative, were

Aspinall	Demarest	Hamilton	McCann	Rice
Blake	Dinkelspiel	Harwood	McCarren	Roesch
Blanchfield	Duffy	Hayes	McLaughlin	Ryan
Blumenthal	Dunham	Hitt	Mead	Schaff
Bush, G. H.	Endres	Hornidge	Miley	Sheehan
Bush, R. P.	Fish	Kelly	Miller	Smith, T.
Clarke, C. C.	Gallup	Kent	Mullaney	Sperry
Connelly	Graham	Kerrigan	Murray	Sullivan
Cronin	Guenther	King	Newschafer	Yetman
Crosby	Haffner	Martin	O'Neil	Young
Davidson	Hagan			

Those who voted in the negative, were

Acker	Coon	Kimball	Mesick	Stevens
Adams	Curtis	Lane	Moffitt	Tefft
Ainsworth	Dante	Larmon	Moody	Towne
Andrus	Decker	Lewis	Nixon	Treadway
Baker, A. B.	Dunlap	Little	Pearsall	Upson
Barton	Edwards	Loder	Saunders	Van Gorder
Bauer	Enz	Mase	Savery	Walters
Brownell	Flaherty	McAdam	Saxton	Whipple
Carson	Groat	McKenzie	Sheldon	Yates
Cheney	Hughes	McMaster	Smith, C.	Speaker
Comstock	Husted			

The Senate returned the bill entitled "An act to establish and organize the State Commission in Lunacy, and to define its duties" (No. 550), with a message that they have concurred in the passage of the same, with the following amendments:

Add at the end of section 26 the following:

"Provided, however, that the present State Commissioner in Lunacy shall, for the portion of his term unexpired, be an additional member of the State Commission in Lunacy hereby created, with such compensation as is now provided by law, and as he has received; and provided, further, that he shall have during such unexpired term such powers and duties only as may be prescribed by the commission created by this act, and during the continuance in office of the present State Commissioner in Lunacy, the said commission shall consist of four members."

Add as section 30 the following:

"§ 30. The sum of \$15,000 is hereby appropriated to carry out the provisions of this act."

Change "§ 30," engrossed bill, to "§ 31."

By unanimous consent.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Gallup	Kerrigan	Peck
Adams	Coon	Gibbs	Kimball	Saunders
Ainsworth	Cronin	Graham	King	Savery
Baker, A. B.	Crosby	Greene	Larmon	Saxton
Baker, A. H.	Curtis	Groat	Loder	Sheehan
Barton	Decker	Guenther	Mase	Sperry
Bauer	Demarest	Haffner	McAdam	Stevens
Blake	Dinkelspiel	Hagan	McCann	Towne
Blanchfield	Donaldson	Haggerty	McCarren	Treadway
Blumenthal	Duffy	Hamilton	Mead	Van Gorder
Bush, G. H.	Dunlap	Harwood	Mesick	Walters
Bush, R. P.	Edwards	Hayes	Miley	West
Carson	Endres	Hitt	Moffitt	Yates
Cheney	Enz	Hughes	Moody	Yetman
Clarke, C. C.	Fish	Husted	Newschafer	Young
Comstock	Flaherty	Kent	Nixon	

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in their amendments.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, May 10, 1889. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 872, entitled "An act making an appropriation to perpetuate the memory of the valor of the defenders of Fort Defiance, the middle fort of the Schoharie valley, in repelling the attack of Sir John Johnson, October 17, 1780."

DAVID B. HILL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Guenther	McAdam	Saunders
Adams	Coon	Haffner	McCann	Savery
Ainsworth	Cronin	Hagan	McCarren	Schaaff

Andrus	Curtis	Hamilton	McKenzie	Sheehan
Aspinall	Dante	Hayes	McMaster	Sheldon
Baker, A. B.	Davidson	Hitt	Mead	Smith, C.
Baker, A. H.	Decker	Hughes	Miley	Smith, T.
Barton	Demarest	Husted	Moffitt	Sperry
Blake	Dinkelspiel	Kent	Moody	Sullivan
Blanchfield	Donaldson	Kerrigan	Murray	Towne
Blumenthal	Dunlap	Kimball	Newschafer	Treadway
Brownell	Edwards	Lane	Nixon	Van Gorder
Bush, G. H.	Endres	Larmon	O'Neil	Walters
Bush, R. P.	Fish	Lewis	Rice	Whipple
Carson	Gallup	Loder	Roesch	Yates
Cheney	Graham	Longley	Ryan	Yetman
Clarke, C. C.	Groat	Martin		

The vote upon the final passage of said bill having been reconsidered, On motion of Mr. Young, and by unanimous consent, the same was amended as follows:

Section 1, lines 1 and 2, printed bill, strike out the words commencing with the word "Duryea," in line 1, to and including the word "appointed," in line 2, and insert in place thereof the words "The Adjutant-General of the State is hereby authorized to appoint three."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Haffner	Mead	Saxton
Adams	Crosby	Haggerty	Mesick	Schaaff
Ainsworth	Dante	Harwood	Miller	Sheldon
Aspinall	Davidson	Hayes	Moffitt	Smith, M. A.
Baker, A. B.	Decker	Hitt	Moody	Smith, T.
Baker, A. H.	Demarest	Kelly	Mullaney	Sperry
Barton	Duffy	Kent	Murray	Stevens
Bauer	Dunham	Kerrigan	Newschafer	Townsend
Blake	Dunlap	Larmon	Nixon	Treadway
Blanchfield	Endres	Lewis	Rhodes	Van Gorder
Blumenthal	Enz	Little	Rice	Walters
Brownell	Fish	Longley	Roesch	West
Bush, R. P.	Gallup	McAdam	Ryan	Whipple
Cheney	Greene	McCann	Saunders	Yates
Comstock	Groat	McCarren	Savery	Yetman
Connelly	Guenther	McMaster		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate returned the bill entitled "An act making appropriations for the payment of awards made by the Board of Claims, and for other purposes" (No. 567), with a message that they have concurred in the passage of the same with the following amendments:

Section 1, line 6, strike out the word "four" and insert the word "thirteen."

Same section, same line, strike out the word "eight" and insert the word "three."

Same section, same line, strike out the word "twenty" and insert the word "fifty."

Same section, line 7, strike out the word "forty" and insert the word "twenty-seven."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Groat	McCann	Saxton
Andrus	Dante	Guenther	McCarren	Schaaff
Aspinall	Davidson	Haffner	McKenzie	Sheehan
Baker, A. B.	Decker	Hagan	McMaster	Sheldon
Baker, A. H.	Demarest	Haggerty	Mead	Smith, C.
Bauer	Dinkelspiel	Harwood	Moffitt	Smith, T.
Blake	Duffy	Hayes	Moody	Sperry
Blumenthal	Dunham	Husted	Mullaney	Stevens
Bush, R. P.	Dunlap	Kelly	Murray	Sullivan
Carson	Edwards	Kent	Newschafer	Tefft
Cheney	Endres	Kimball	Nixon	Van Gorder
Clarke, C. C.	Enz	Larmon	Rice	Walters
Comstock	Fish	Little	Roesch	West
Connelly	Fitts	Loder	Ryan	Whipple
Cottrell	Flaherty	Longley	Saunders	Yetman
Cronin	Gibbs	McAdam	Savery	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate sent for concurrence the following entitled bills:

"An act making an appropriation for printing and binding extra copies of the majority and minority reports of the special committee of the Senate appointed April 11, 1888, to investigate certain charges in relation to the public service in the city of New York" (Rec. No. 365), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 193 of the Laws of 1888, entitled 'An act to authorize the selection, location and acquiring of certain grounds for public parks and parkways in and near the city of Rochester, and to provide for the maintenance and embellishment thereof'" (Rec. No. 366), which was read the first time, and by unanimous consent, was also read the second time.

On motion of Mr. Bauer, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

The Senate returned the following entitled bills:

"An act to provide for the erection of a State armory, at the village of Penn Yan, in the town of Milo, Yates county, New York, and making an appropriation therefor." (No. 455.)

"An act making appropriations for the payment of awards made by the Board of Claims, and for other purposes." (No. 567.)

"An act to amend section 9 of title 3 of chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'" (No. 48.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled bills with a message that they have concurred in the passage of the same, as amended:

"An act to amend section 13 of title 11 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' relative to the department of police." (No. 1146.)

"An act to legalize the acts of the St. Paul African Methodist Episcopal Church in Morrisania, Westchester county, and to correct certain defects in its articles of incorporation." (No. 171.)

"An act to legalize certain proceedings of the common council and officers of the city of Buffalo." (No. 448.)

"An act in relation to summary proceedings to remove monthly tenants in the city of Brooklyn for holding over." (No. 661.)

"An act making an appropriation to perpetuate the memory of the valor of the defenders of Fort Defiance, the middle fort of the Schoharie valley, in repelling the attack of Sir John Johnson, October 17, 1780." (No. 872.)

"An act to provide for the care and custody of the estates of persons sentenced to State prison for life." (No. 446.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

"An act to amend chapter 140 of the Laws of 1850, entitled 'An act to authorize the formation of railroad corporations and to regulate the same,' and acts amendatory thereof relating to increase of capital stock." (No. 587.)

"An act to amend section 343 of the Penal Code, relating to wagers, betting and gambling." (No. 943.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled Senate bills, with a message that they have concurred in the amendments of the Assembly thereto:

"An act to amend chapter 195 of the Laws of 1886, entitled "An act to make the office of county clerk of Monroe county a salaried office, and regulating the management of said office." (Rec. No. 5.)

"An act regulating railway appliances to be used on all railway lines within the limits of the State of New York." (No. 572.)

Ordered, That the Clerk return said bills to the Senate.

Mr. Husted moved that the House do now resolve itself into a committee of the whole upon Senate bill No. 160, entitled "An act to tax sales of beverages in certain cases." (Rec. No. 311.)

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House then resolved itself into a committee of the whole, and proceeded to the consideration of said bill.

After some time spent therein, Mr. Speaker resumed the chair, and Mr. Decker, from said committee, reported progress on the same, and asked and obtained leave to sit again.

Mr. Husted moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Husted gave notice that he would, at some future day, move to suspend Rule 44, so that he could move to have Senate bill No. 160, entitled "An act to tax sales of beverages in certain cases," read out of its order by a majority vote.

Mr. Husted moved that this House do now adjourn until Monday evening next, at 8.15 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon the House adjourned.

MONDAY, MAY 13, 1889.

The House met pursuant to adjournment.

Mr. Husted in the chair, said:

Gentlemen of the Assembly: With feelings of the most profound sympathy I announce to you that our Speaker has been called from us by the sudden death of a dearly beloved sister. I know that our hearts will go out to him in this hour of his sorrow and distress.

Prayer by Rev. D. Luther Roth.

On motion of Mr. Hitt, the journal of Friday, May 10, was approved without being read.

Mr. Hamilton offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Senate bill No. 139, entitled "An act relative to the repavement of streets and avenues in the city of New York," be returned to the Governor without amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, *May 13, 1889.* }

To the Assembly:

Assembly bill No. 728, entitled "An act to secure more fully the independence of electors at public elections, to enforce the secrecy of the ballot, and to provide for the printing and distribution of ballots at public expense," is herewith returned without approval.

The evils which this bill pretends to remedy are startling, widespread and dangerous beyond all others which threaten our government, and it is not strange that any bill labeled "electoral reform" raises a blind cry for its enactment. The clamor that this "great reform measure" should be approved at once, and without stopping for an examination of its details, was at no time louder than when the bill was first presented to me by the present Legislature, so framed as to abolish all elections which it proposed to reform. That such a stupendous blunder could pass the Legislature without detection, should be a sharp reminder that painstaking scrutiny and careful deliberation are as necessary as patriotic fervor. When the people are crying for bread, their hunger will not be satisfied by giving them a stone.

Political parties cannot differ as to the necessity of suppressing bribery at elections. Certainly such a consummation is most devoutly to be wished by that party which is well-known to have little or no campaign fund, to have less wealthy men for its candidates, and to have suffered most severely from enormous political corruption by its adversaries.

It is difficult to understand how so much party heat could have been evolved from the discussion of a measure proposing ends equally desired by all honest people, regardless of party. It can only be explained by the mad anxiety with which this bill was made a party measure by the majority of the Legislature, and by the reckless haste with which it was originally rushed through both houses, without listening to suggestions, criticisms or amendments presented by the minority, with the evident intention that the bill should not be approved, and that the Executive might thereby be placed before the people of the State in the false light of having vetoed a reform measure.

The enactment of a law which shall actually secure electoral reform should involve simply a discussion of the best means for accomplishing commonly desired ends. There would seem to be no longer any occasion for partisan controversy in this discussion, if the sole object in view is the public good, rather than digging pits for political adversaries. The present need is careful deliberation, keen scrutiny and a mutual readiness and desire to give and receive the sharpest and severest criticism, requiring a temper and disposition most foreign to the atmosphere of partisan controversy.

The first step in a discussion undertaken with such disposition is to discover the points of agreement. This I proceed to do.

There is one leading feature of this bill which I consider of vital importance, and which I have uniformly advocated whenever opportunity has offered. The feature to which I refer is the system of private booths or compartments through which each elector must pass on his way to the ballot-box. If this system stood alone, unattended by nullifying and suicidal counter provisions, I would most heartily approve this bill.

In the memorandum setting forth my reasons for disapproving the similar bill of last year, I said:

"I would cheerfully approve a well-considered measure which should provide, substantially, that each elector, just before depositing his

ballot, should enter a separate compartment or booth provided for that purpose, where he can alone assort and arrange his tickets to suit himself, and from this compartment proceed directly to the inspectors, unattended by any one, and deposit his ballots.

"Such a provision, plain, simple, and easily understood, would tend to prevent or restrict bribery and corruption, as the bribers would be unable to know or determine what tickets had actually been voted, and would be less likely to attempt to improperly influence the voter. So far as this bill partakes of this feature it is meritorious and meets my approval. But it is incumbered and surrounded with other provisions, crude, unprecedented, unconstitutional and fatally defective, which render its approval impossible."

Again in my annual message to the present Legislature, I said:

"It is suggested that the existing election laws be amended by providing that a certain space extending a reasonable distance from the polls be set aside or reserved by ropes, or barriers of some kind, inside which no one except peace officers and one elector at a time should be permitted to enter, and that all electioneering should be done outside of such reserved space, and that each elector should be required to pass behind screens or within compartments or booths situate within such reserved space, and there, alone, prepare or assort his tickets, and then proceed directly from such place to the polls without any one accompanying him or any opportunity being afforded for discovering what ticket he votes.

"The value of such a provision consists not in permitting the elector to cast a secret ballot, but in compelling him to do so. Under such circumstances the elector is not so liable to be bribed, because the bribers would not be likely to pay their money for a vote when they cannot be positive which way that vote has actually been cast. The opportunities and probabilities of corruption would hereby be greatly diminished, and a pure election rendered more certain. Such a provision, plain, simple, and easily understood, would tend to prevent, or at least restrict corruption at the polls, and it is difficult to conceive of any reasonable objections thereto."

I have thus quoted from my previous official utterance upon this subject for the purpose of indicating anew to the Legislature that there is not, and has not at any time been, any disagreement between the Legislature and the Executive upon what I regard, and upon what I believe the people regard, the most important feature of real electoral reform. The substantial disagreement between the majority of the Legislature and the Executive has been reduced to certain objections to the official ballot proposed, but not to an official ballot itself.

I am not yet convinced that any material advantage will accrue from the use of an officially printed ballot. Secret voting, which is the essence of electoral reform, can be thoroughly secured with the booth or compartment system, either by the present method of supplying ballots, or by officially printed ballots, which shall not be exclusive. The system of an exclusively official ballot, I believe to be inherently defective, vicious and unconstitutional.

In my annual message to the present Legislature, I indicated my position on this subject as follows:

"It is also suggested that it be provided that ballots for elections

be furnished at public expense, under suitable and proper regulations. The necessity or wisdom of this change is not entirely clear, and it may well be doubted whether, of itself, it will prove of much benefit or be productive of any essential reform; but, having no special objection to it, I am disposed to recommend its adoption, as an experiment fairly entitled to a reasonable trial. It is a power which is liable to great abuse, and should be carefully restricted. While ballots should be furnished for the candidates of the principal political parties, and for all other parties polling a certain fair percentage of votes at the previous election, yet any further provision compelling their furnishing should be strictly guarded. It is not believed to be desirable, nor is it just to the taxpayers, that every political adventurer who desires to run for a public office should have his ballots printed at public expense, regardless of his merits, the extent of his following, or the motives or purposes of his candidacy. A mere handful of adherents, compared with the great body of the citizens, should not be permitted to impose a self-constituted candidate upon the people at public expense, simply to gratify his personal vanity or the pretensions of a small faction.

"Grave objections exist to any provisions vesting the exclusive power of furnishing ballots in the State, county or city. That power should be concurrent with parties, candidates and individuals. While the State, county or city may furnish ballots, and thereby always insure a sufficient supply for the convenience of voters, and thus tend to relieve candidates from the necessity of large political assessments for such purpose, yet no good reason exists why parties, candidates or private individuals may not themselves be permitted voluntarily to furnish their own ballots in case they desire to do so. Provision should be made for the selection of ballot clerks, who should have charge of the ballots thus furnished at public expense, and these clerks should be stationed inside the reserved boundaries, behind a desk or counter, and should furnish the electors upon request a full set or sets of all the printed ballots. Electors should not, however, be obliged to ask or receive their ballots from such clerks, but should be permitted to supply themselves in advance from candidates, their friends, or in any other manner they choose, at their own homes or elsewhere, and being thus supplied, should have the privilege of casting their ballots just as they have prepared them, without the assistance or intervention of any ballot clerks."

These quotations disclose precisely the points of agreement and of differences between the Legislature and the Executive upon the leading features of this bill.

I am most heartily in favor of the private booth or compartment system, substantially as proposed in this bill. I am willing to try the experiment of an official ballot, printed at public expense, provided it is not prohibitory and the ballot is substantially of the same character as the ballots now prescribed.

But the two other leading features of the bill are inherently inconsistent with the object sought by the private booth or compartment system, and are liable to absolutely defeat such object. These two features open the door to new dangers even graver than those from

which the one worthy feature of the bill seeks an escape, and are clearly and beyond question unconstitutional.

The two objectionable features to which I refer are, first, the requirement that none but an officially printed ballot shall under ordinary circumstances be voted; second, the requirement that each ticket shall contain the names of all the candidates of all the parties and parts of parties, and irresponsible combinations pretending to be a party, who choose to certify that they have made a nomination.

These two objectionable features I now proceed to consider in detail.

First: Citizens should never surrender the right to bring with them to the polls their own ballots and to see that they are properly deposited in the box.

By the bill presented last year no ballot whatever could be voted except an officially printed ballot obtained at the polls. The very existence of elections was made to depend upon the machinery for furnishing official ballots. If that machinery were to break down at any point, thereby stopping the supply of such ballots, the election could proceed no further. The present Legislature has recognized the validity of this objection then made by the Executive, and the bill now before me provides in section 24 that, "if from any cause official ballots are not ready for distribution at any polling place, or if the supply of ballots should be exhausted before the polls are closed, *fac simile* unofficial ballots may be used." In every other case the official ballot must be used. This, though not absolutely, is still practically an exclusively official ballot.

There are but two legitimate arguments in favor of an official ballot printed at public expense, as against the same kind of ballot to be furnished by parties and candidates: First, that an officially printed ballot will enable impecunious men to become candidates without being compelled to meet the expenses of printing their tickets; second, that by thus doing away with the only campaign expenses which are absolutely necessary, the excuse for levying campaign assessments upon candidates will be reduced. These two purposes can be as completely satisfied under the system of an optional official ballot as under the system of an exclusive official ballot. As to this point there can be no question.

The importance of relieving candidates from the expense of printing their tickets has been greatly exaggerated. Such expense is so slight in comparison with other legitimate expenses of an election as hardly to be recognized. The expense of the distribution of the tickets, of campaign literature, of a preliminary canvass, of public meetings, of bands of music, of torchlight processions, all strictly legitimate, vastly outweigh the mere expense of printing tickets. Contributions will still be called for from candidates, and will be paid, whether denominated assessments or otherwise. It will cost the taxpayers much more to print the tickets than it will cost the candidates, and it is very doubtful whether the incidental evils will not outweigh the advantages. The cry for an official ballot has proceeded mostly from *doctrinaires* whose theories are beautiful and serene, but who have no eyes for facts and practical experience.

Nevertheless, I am entirely willing to concede, and even to recom-

mend, the trial of an official ballot printed at public expense, so long as it is not prohibitory, as it practically is by this bill.

But this bill defeats rather than subserves the only possible purposes of an official ballot printed at public expense, and would actually increase the expenses to candidates of printing their own tickets.

The bill does not provide when the county clerks shall distribute the official ballots to the inspectors of election at the polling places, except that it shall be done before the opening of the polls and at the polling places. In the city of New York there are 856 election districts. The official ballots cannot be delivered to the inspectors until they are present at the polls, and must be delivered before the polls open. The ballots must all be delivered at or about the same time. In New York city this would require nearly 856 messengers. Suppose one of these messengers is delayed unavoidably or purposely. The only remedy provided by this bill is the provision in section 24 for the use of *fac simile* unofficial ballots as above quoted. In many of the interior counties delays will be much more likely to occur. The theory of the bill is that the official ballots are to be retained by each county clerk until the morning of election. Many of the polling places in these counties are at a considerable distance from the county clerk's office, inaccessible by railroad. It is evident without further elaboration that delays are very liable to occur in transmitting the official ballots from the county clerks' offices to the polling places.

No political party would dare to take the risk of such delays, but each party would be practically compelled to prepare and distribute in every election district a full supply of these *fac simile* unofficial ballots, at its own expense. But in so doing each party would be compelled to print *fac simile* ballots containing not only the names of its own candidates; but also the names of all the other candidates of all the other parties, as required upon the official ballots. The expense to candidates for printing their tickets would be more than doubled by the official ballot system of this bill. The very evils sought to be reduced by the official ballot would actually be increased. The defect is inherent in the exclusively official ballot system, and cannot be obviated, while that system is retained.

The only other point ever urged in favor of an exclusively official ballot is, that it will promote the secrecy of the ballot, and will make it more difficult for the vote-buyer to know whether his man has voted as he was bought. I believe that in actual practice this system will work just the opposite result.

To render it absolutely certain that no other than an official ballot shall be voted, the ballot required by this bill is to be marked with the initials of the election officers who originally deliver it to the voter. The voter is not thereafter to leave the polling place until he has deposited the ballot with the initials thereon exposed. This scheme has a very plausible appearance, and has deceived many into the belief that it insured absolute secrecy, except for the word of the voter. The bill of last year provided that the initials of the election officers should be indorsed on the back of the ballot itself. I then pointed out that this system could be easily used, by collusion with an election officer, to absolutely identify the ballot of any voter, and that

it was inherently unconstitutional for that and other reasons. Those objections are sought to be obviated in the present bill, by transferring the initials from the ballot itself to a stub attached to the ballot, when it is delivered to the voter, and to be detached when the ballot is deposited. But still, by collusion with a ballot clerk and an inspector who may both be of the same political party, the vote-buyer may obtain a ballot with the stub properly marked and a system can then be readily devised, which it is not necessary here to elaborate, by which the vote-buyer can determine on the spot exactly how his man voted, with even closer accuracy than if he had followed him to the ballot-box and had stood at his elbow when the ballot was deposited. This bill contains no express prohibition against such delivery of a ballot so marked, before election day, and provides no penalty therefor.

This particular bill indeed ruins even the plausibility of the system, and makes it easy for the vote-buyer to obtain the marked official ballots without any collusion with election officers. Section 23 of the bill provides that "each qualified elector shall be entitled to receive from the said clerks one ballot for each of the officers for which the elector desires to vote." The bill provides also that the different tickets are to be classified as at present. Each elector would, therefore, under this bill, be entitled to receive from the ballot clerks as many State tickets, for instance, as there are officers named thereon, each ticket having the stub indorsed with the proper initials. Each elector would receive an average of from three to six times as many ballots as he would be entitled to deposit. It is true that the bill requires that all ballots not voted shall be delivered back to the inspectors, and that no ballot shall be removed from the polling place. But it is very evident, with all this multitude and confusion of tickets in his hands, that it would be very easy for an elector, under claim of having dropped or lost a ticket or by other methods, to smuggle away from the polling place a complete set of tickets marked with the proper initials of the election officials. Armed with this one set of tickets, which the vote-buyer can mark and deliver to a purchased voter, who can vote the same and return another set, a complete system of purchasing votes with absolute certainty can be carried on during the balance of the day. This, it is true, is a defect of this particular bill rather than of the system itself. But that is all the more a reason why this particular bill should not be approved. The system itself ought not, of course, to be judged by this botched misrepresentation of it.

But the system itself of marked official ballots is a delusion and a snare, fraught with dangers. The vote-buyers are as shrewd as the law-makers, and will, if possible, use the very devices intended to thwart them for the more secure accomplishment of their ends. The marked official ballot, unwittingly it may be, plays most effectually into the hands of the corruptionists. This difficulty is inherent in the system of exclusively official ballots, and no ingenuity of the Legislature can successfully guard against the dangers of the system.

The most serious practical objection to the exclusively official ballot still remains to be considered.

An official ballot must, from the nature of the case, be finally com-

pleted a certain number of days before the election. By the bill of last year, this period was fixed at twenty days before election for State offices and offices for a district greater than a county, and at fifteen days before election for other offices. I then suggested that there was no method of removing from the ballot the name of a State officer who should die or resign within twenty days before election, or of a county officer who should die or resign within fifteen days before election. The printed official ballot would still contain the name of the dead or resigned candidate only for such office, and no other ballot could be used. The present bill has merely diminished the objection without removing it. For all offices the period is reduced to eight days before election; otherwise the situation remains unchanged. If a candidate should die or resign at any time during the eight days before election, both the official and the *fac simile* unofficial ballots would contain only the name of the dead or resigned man as the candidate of the party for that office, and no other name could be printed upon the ticket in his place. This is conceded by the promoters of this bill to be its effect. The only answer is that the bill allows another name to be pasted over or written above the name of the deceased or resigned candidate by the voter. Theoretically, this would appear to be a remedy; practically, it would be a nullity. The great mass of the people will not take the trouble to write or paste in a name. The practical result would inevitably be that the death or resignation of a candidate at any time during the period of eight days before an election would defeat his party for that office.

I am unalterably opposed to any system of elections which will prevent the people from putting candidates in nomination at any time, and voting for them by a printed ballot up to the very last moment before the closing of the polls on election day. This is an inherent right under our free institutions, which the people will never knowingly surrender.

The last objection which I shall here mention to the system of an exclusive official ballot, is the most serious of all. The system, though not appearing on its face to be unconstitutional, necessarily involves unconstitutional provisions. By this bill the possibility of any ballot whatever is made to depend upon previous nominations duly certified by the bodies making the same. If no nominations are made, no official ballots, and consequently no *fac simile* unofficial ballots can be prepared, and no election can be held; for this bill allows no other ballots to be voted. The right of suffrage and the existence of elections are both made absolutely dependent upon previous nominations. If no such nominations should be made, all the people of the State would be disfranchised. It is not enough to say that such event is not likely to happen. A bill which makes the right to vote depend upon irresponsible voluntary bodies, thereby making the disfranchisement of all the people possible, is equally unconstitutional, whether such event be probable or not. This result proceeds not from special defects of this particular bill, but is inherent in the very theory of an exclusive official ballot upon which the bill is framed.

Second. The second of the two objectionable features of this bill upon which the majority of the Legislature and the Executive remain at variance is the series of provisions requiring the names of all can-

didates of all political parties, as well as the names of the candidates of various combinations of persons not claiming to be a party, to be printed on one ticket, so that every ballot which goes into the ballot box will contain without erasure the names of all the candidates which the elector desires to vote against, as well as the names of the candidates whom he desires to vote for.

Out of all the names thus appearing upon the ballot, the elector is required to select and "mark a cross before or after the name of the person or persons for whom he intends to vote—for example, X. Provided, however, that any elector who desires to vote for an entire group may mark a cross as above described against the political designation of such group, and shall then be deemed to have voted for all persons named in such group, whose names shall not have been erased."

This new-fangled style of ballot I believe to be cumbersome, expensive, impracticable and unconstitutional.

This official ballot is to be made up by the officer preparing it on the basis of certificates signed by the presiding officer and secretary of the convention or primary meeting of a political party, and by certificates of a certain percentage of voters not representing any party, which need not be more than 500 for a State nomination, nor more than fifty for any other office.

No provision is made for determining the claims of contesting candidates, both claiming to be the regular party nominees.

A convention or primary meeting is defined by the bill as "an organized assemblage of electors or delegates *representing* a political party." The certificate of nomination need state only "the name of each person nominated, his address and the office for which he is named, and in not more than five words the party or principles which the convention represents." The certificate must be signed by the presiding officer and secretary of the convention or primary meeting, and be verified by their oaths that "the statements therein contained are true to the best of their knowledge or belief."

These certificates are final and conclusive upon the officers charged with preparing the ballots. No public officers are given any authority or discretion to go behind these certificates, to inquire into the truth of the statements therein or the good faith of the signers thereof. The certificate need make no statement as to the number attending the "organized assemblage of electors" constituting the convention or primary meeting, their authority or credentials, only that they "*represented*" the party. It would seem perfectly safe for any three or more members of any party to assemble and organize, claim to represent the party, make nominations and certify under oath that they "*represented*" the party. Either party could easily procure an unlimited number of certificates to be thus issued by members of the opposite party and could load down the opposite party's list of candidates for each office on this wonderful ticket, with a multitude of names so confusing to the ordinary voter as to insure the defeat of the opposite party.

There is no method allowed for distinguishing upon the ballot under a party heading, the regular from the bolting nominees, the genuine from the spurious. Add to these unlimited lists of "party"

candidates, the candidates who may be nominated by the combinations of "fifties" and "five hundreds" not claiming to represent any party and the limit to the names which may lawfully be placed on this "reform ballot" defies computation, and is to be estimated by the imagination only. An ordinary city directory might as well be handed to a voter from which to select his candidate, as a ticket which might easily be constructed strictly in accordance with the provisions of this bill. Indeed the city directory would have a certain advantage, for there the names would be arranged in alphabetical order.

The opportunities for free advertising would be immense, for the tickets are to be furnished not alone at the polls on election day. Section eleven of this bill is worthy of being presented in full in this connection. It reads as follows:

"§ 11. The county clerk of each county shall at least six days before election day send to the town clerk of each town, and to the alderman of each ward in a city therein, printed lists, *one or more* copies for each election district in such town or ward, containing the name, residence, *business, business address* and party or political designation of each candidate nominated as hereinbefore provided to be voted for by the electors of the respective towns and wards. *Such lists* shall be conspicuously posted by such town clerk or alderman in one or more public places in each election district of each town or ward."

Only fifty and possibly less signatures would be required to obtain this extensive circulation of any man's *full business card* at the expense of the taxpayers. How many lists are to be so posted? One or more, as many as the county clerk may choose to send, and "*such lists* shall be conspicuously posted in each election district." The number is not limited to one nor to three in each district, nor to any other number.

And finally, by section 10 of this act, at least six days before an election the county clerk of each county shall cause to be published in not less than two, nor more than four newspapers within the county, daily in counties where daily newspapers are published, the nominations certified to him under the provisions of this act.

The suspicion is justified that some of the publishers of the newspapers which have sounded the praises of this bill have really read its provisions. That from three to six times as many ballots as he is entitled to vote should be handed to each elector would seem to be consistent with these provisions of this bill, however inconsistent it may be with the provisions professedly aimed at the secrecy of the ballot. Certainly the taxpayers would have some heavy printers' bills to pay, if this bill should become a law; for all this printing, it should be borne in mind, is at the public expense. It is most charitable to the intelligence of the advocates of this bill to believe that they intended that it should not be approved by the Executive.

It is claimed that the system has worked well in other countries and has been adopted by other States in this country.

So far as I have been able to learn after a somewhat careful inquiry, the fact is that in England, Canada and Australia, where the system has been in operation, the voter at an election is ordinarily called upon to designate his choice of a candidate for but one office, namely, member of parliament or legislature. There is, therefore, but one

ballot, and that a small one, with rarely more than two or three names upon it, and one office to be filled. The system may be adapted to an election so simple as that, but the greatest care should be exercised in attempting to engraft that system upon our own, which is now so complicated.

This system has been adopted in but a few States, possibly five or six at this writing. So far as I have been able to ascertain, more States have rejected it than have adopted it. In no State which has adopted this system of printing the names of all candidates on one ticket has the system yet been tried. The only actual trial of the experiment in this country has been in a single municipal election in the city of Louisville, with the result, as I am informed, of throwing out a large number of imperfect ballots.

The present system of printing tickets is simple. The people have been long accustomed to it. The proposed system is an innovation, revolutionary, cumbrous, misleading, inconvenient and absolutely useless.

The system itself is inherently unconstitutional apart from the form in which it appears in this particular bill.

The constitutional right to vote a ballot containing the names and only the names of those for whom the elector desires to vote has existed in this State for over sixty years. Electors can not be divested of this right in any other way than by an amendment to the Constitution. Section 4 of article 2 of the second Constitution of this State, framed by a convention that sat in Albany and completed its labors on the tenth of November, 1821, and which went into operation on the last day of the following year, provided as follows: "All elections by the citizens shall be by ballot, except for such town offices as may by law be directed to be otherwise chosen."

Section 5 of article 2 of the Constitution of 1846, which is now in force, contains exactly the same language. What is a ballot? It is alluded to in paragraph 6, of the first Constitution of this State, which was adopted in 1777, during the Revolutionary war. Power was given to the Legislature after the war was ended, to pass laws providing for election by ballot. It was further provided:

"That if, after a full and fair experiment shall be made of voting by ballot aforesaid, the same shall be found less conducive to the safety or interests of the State, than the method of voting viva voce, it shall be lawful and constitutional for the Legislature to abolish the same."

From that day to this the meaning of the term "ballot" has been the same. Suppose that immediately after the adoption of the Constitution of 1821, the courts had been called upon to adjudicate upon the meaning of the word "ballot," they would have defined its meaning precisely as it exists at the present time. It is a canon of interpretation applicable to constitutional as well as statutory law that "the common usage of the words at the time of the enactment is the true criterion by which to determine their meaning." (Smith's Commentaries on Statute and Constitutional Law, p. 630.) There was but one meaning which by common usage could be given to the word "ballot," it was that which the Legislature afterwards incorporated

in a statutory enactment. Section 8, article 2, title 4, chapter 6, part 1, of the Revised Statutes, define the word "ballot" as follows:

"The ballot shall be a paper ticket, which shall contain written or printed, or partly written or partly printed, the names of the persons for whom the elector intends to vote, and shall designate the office to which each person, so named, is intended by him to be chosen."

At the time of the framing of the Constitution of 1846, the meaning of the word "ballot" had been established by common usage since the adoption of our first Constitution in 1777. Its meaning was embodied in a statute which had been in force some sixteen years. The language of the Constitution, "All elections shall be by ballot," referred to the kind of ballots then in use, the definition of which was contained in the Revised Statutes. The constitutional provision embraced exactly this definition, the same as if it had contained the very language of the Revised Statutes which I have cited. The Constitution says the "ballot" shall contain the names of the persons for whom the elector intends to vote. By necessary implication the Constitution says the ballots shall contain no other names. According to this bill, the ballot must contain the names of all the candidates for whom the elector does not desire to vote. If the Legislature can compel an elector to lose his vote, or to vote a ballot containing the names of those he desires to vote against, it has the power to require anything else to be printed on the ballots, for example, some of the political maxims of the party to which the voter is opposed. It might just as well direct that the "ballot" shall contain brief extracts from the resolutions and platforms adopted by the political conventions of the opposite party.

A distinguished jurist has tersely set forth the unconstitutionality of this system in the following language:

"The system of voting provided for in this bill is not voting within the meaning of the Constitution. The elector has a right guaranteed by the Constitution to vote a ballot which on its face shall express, *in the English language*, exactly what he means. The vital part of the ballot which under this bill the elector must vote, is not in the English language at all, it consists of a cross — two marks made with a pen or pencil. The elector is compelled to vote a ballot which on its face is in favor of those against whom he wants to vote, and against those for whom he desires to cast his ballot. Take the case of a ballot containing only two groups of candidates nominated respectively by regular conventions of the Republican and Democratic parties. The Republican desires to vote for the candidates of his own party; he is required to make a cross against their names, which to the ordinary mind means that such names are crossed off. The names of the Democratic candidates will have no cross against them. So that the Republican on the face of his ballot, votes the Democratic ticket. And the Democrat, under the like circumstances, on the face of his ballot votes the Republican ticket. The Legislature has no more constitutional power to require that an elector shall define by a cross what his ballot means than it would have to say that he should explain the meaning of his ballot by the use of Egyptian hieroglyphics."

It will thus be seen that of the three leading features of this bill, I am as heartily in favor of one as I am strenuously opposed to the

other two; that my opposition to the two objectionable features of this bill are fundamental and based upon principle, rather than upon any technical or incidental defects or inconsistencies in the form in which they are presented in this particular bill. If these two objectionable features were unimportant or not likely to produce serious evils, I would gladly waive them.

I trust I have satisfied all honest-minded men that the benefits which might be derived from the workings of the one valuable feature of this bill would be thwarted, lost and destroyed by the operation of the two objectionable features with which it is associated, and that greater dangers would await us if this bill should become a law than those which it is sought to remedy. There is one thing worse than the bribery of dishonest voters, and that is the practical disfranchisement of a greater number of honest voters.

But whether I have satisfied others or not, my own deliberate judgment is that the net result of this bill would be evil, and evil only, to the people of this State, so long as these two objectionable features are retained, even though all the special defects and inconsistencies with which they are accompanied in this particular bill were removed. I have been thus careful to distinguish the incidental from the essential defects of this bill, that there may be no misapprehension of my position by the Legislature, in the hope that the concededly valuable feature of the bill upon which the Legislature and the Executive are agreed may yet be adopted by the Legislature during its present session.

Having thus emphasized the fundamental reasons for my refusal to approve the bill, it is proper for me to add that the incidental defects and inconsistencies of this particular bill, would compel me to withhold my approval from the bill in its present form, even if I approved all its main features.

Only a small portion of such defects and inconsistencies have been incidentally indicated in the foregoing discussion of the main features. I shall only allude to a few out of many other such defects, which form no proper part of the theories upon which the bill is framed, and which I will charitably assume were the result of haste, inadvertence or the absence of due consideration on the part of its framers. Many of these defects I pointed out in the similar bill of last year.

It has been diligently asserted that the objections made by me to the bill of last year have been obviated. This is not true. A few alterations, which could not well be resisted, have been assented to, but in the main this bill is substantially the same as the one of last year and contains all its principal defects. Instead of my objections having been obviated, in some respects they have been aggravated. I objected because three per cent of the vote cast at a previous election was made a sufficient basis for the printing of ballots throughout the State in behalf of a party obtaining that percentage.

The objection was met, not by increasing the percentage but by reducing it. One per cent is made sufficient by this bill and there are no additional safeguards furnished. I objected to last year's bill because it permitted any one thousand electors by signing a petition, to place in nomination candidates for State offices, and compelled their tickets to be printed at public expense. Instead of increasing

the number requisite for such purpose it reduced it to five hundred and imposed no restrictions whatever for the protection of the public.

Last year's bill required at least one hundred persons to unite in a petition for the presentation of candidates in municipalities or districts less than the State in order to entitle them to have their tickets printed at public expense. I then suggested that this limit should be increased, but on the contrary, in this bill the limit is reduced to fifty, and no conditions are imposed to prevent imposition upon the people and the taxpayers.

I objected to the bill of last year because it made the expense of printing and distributing all ballots a county charge, insisting that the expense of a municipal election should be a charge upon the municipality. The validity of this suggestion seems to have been recognized, but the attempt to meet it has been but partially successful, for by this bill such expense for city elections are made a city charge, but for village and town elections such expenses are still made a county charge. After this bill was recalled from the Executive by the present Legislature for amendment, an offer to correct this inconsistency was rejected by the majority in the Senate, apparently for no other reason than that it originated with the minority.

I suggested last year that in the selection of ballot clerks, the new election officers proposed, that a third party be recognized. This suggestion is ignored in the present bill, and even an amendment offered by a representation of the minority in the Assembly after the recall of the present bill, which would render it certain that the two ballot clerks should belong to opposite political parties, was rejected by the majority.

I suggested last year that the inordinate power given to county clerks and election officers should be limited or more carefully guarded, but that suggestion has passed unheeded. This objection brings up one of the greatest dangers of the present bill. The bill confers vastly increased powers upon county clerks and election officers, and thus increases both their ability and their temptation to commit frauds. The bill proceeds on the theory that electors can be bribed only so long as they hold no office, and that they become transformed upon taking an official oath.

Under this bill it would be easier and safer to bribe some of the inspectors or ballot clerks than it now is to bribe electors. It would require less skill, less money and much less risk of punishment to place a few corrupt men in office as inspectors or ballot clerks, and through them procure the disfranchisement of a thousand honest voters, than now to obtain by bribery of electors one-tenth part of that number of votes.

But why attempt to exhaust the list?

I have called attention to these minor defects not because I consider them fatal to the bill, nor because I insist upon their amendment as a condition of approving the bill, but as indicating the same absence of care and consideration in the main features of the bill which has characterized the minor details.

It may have been noticed already by the Legislature that this message has not been merely critical. I have aimed not to destroy, but to construct an actually workable system for the reform of election

abuses. I have not been unmindful of the dangers to the State from such abuses, nor of the efforts of the Legislature to grapple with the problem of their reform. It is made my duty, by the Constitution, to recommend such matters to the Legislature as I shall deem expedient. In the line of that duty I take this occasion to recommend to the Legislature the passage of a bill before the adjournment of the present session, embodying those features of electoral reform upon which the Legislature and the Executive are in entire accord. It is for that reason that I have hastened to transmit this message to the Assembly this evening, the bill having only been presented to me on Saturday afternoon last.

My regret in being unable to save from the wreck of this unwise and unfortunate bill the one valuable feature it contains is tempered by my knowledge of the fact that there is already pending in the Legislature a carefully-prepared bill, known as the "Linson bill," providing for the private booth or compartment system, substantially as in the bill now before me, and which has become known as the "Saxton bill," and with few, if any, of the objectionable features of the latter. The "Linson bill" also provides that ballots in the form now in use shall be printed and distributed at the public expense, thereby avoiding, to a greater extent than the "Saxton bill," the necessity and excuse for assessing candidates for that purpose, and equally with the Saxton bill enabling impecunious men to become candidates without any expense whatever.

The expense to the taxpayers of printing the official ballot of the ordinary form under the "Linson bill" will be moderate and can be limited. The expense to the taxpayers of printing the extraordinary form of official ballot under the "Saxton bill" will be necessarily heavy, and has no computable limit. The "Linson bill" allows political parties and their candidates to print and distribute their own tickets, as at present, if they choose, but in no way increases the expense thereof.

The "Saxton bill" permits and practically requires parties and candidates to print tickets and greatly increases the expense thereof, because of the uniform ticket required for all parties, and the unlimited number of candidates liable to be named thereon.

The "Linson bill" allows any elector to prepare his ticket at home or elsewhere, with the assistance of relatives and friends, or alone without interference or suggestion, and to carry it to the polls in his "vest pocket" or otherwise, and to deposit it as he has prepared it.

The "Saxton bill" in its ordinary workings, prohibits every elector from voting a ticket which he has brought with him to the polls, but compels him to first obtain his ticket after he has entered within the polling place. There are other features of the "Linson bill" which are wholly absent from the "Saxton bill."

The most important of all are the requirements in sections 36 and 37, that every candidate shall, within ten days after election, file "a statement subscribed and verified by him, showing in detail all the moneys contributed or expended by him directly or indirectly, in person or by his authority or direction, in aid of his election, and giving the specific nature and purpose of the disbursements made;" and that any candidate may bring an action to vacate the office of his

successful rival, if he can satisfy the court that at the election at which his rival was elected, votes were secured by such rival or by his agent or agents, or by some committee or organization of his political party, or by the agent or agents of some such committee or organization, by paying, contributing, offering or promising to contribute money, or by some promise to influence the giving of such vote or votes, or that votes were withheld from such defeated party by reason of such practices, by or on behalf of such successful rival, or such agent, committee or organization.

I believe that these provisions of the "Linson bill," which are wholly absent from the "Saxton bill," will be more effective than even the private booth or compartment system to prevent bribery at elections. That is at best a mere palliative. These provisions strike at the root and source of the evil. These provisions for the first time would give a motive for prosecuting, the absence of which is the only reason why the present laws against bribery at elections are not enforced. Juries would be much more likely to find a verdict ousting a corrupt in favor of an honest man, than to find a verdict of guilty of crime. The candidate who detects his rival in corrupt practices may abandon his own canvass, and even though he gets but one vote, he can oust his successful rival if he can show that his rival, or his rival's party, was instrumental in purchasing a single vote.

It was the unseating of one or two members of parliament in England under a similar law which did more to purify elections in that country than all other laws combined.

The "Linson bill" contains also provisions prohibiting the use of "pay envelopes," intimidation or undue influence of employés by employers, and requiring employers to give employés leave of absence to vote without deduction of time.

None of these provisions are contained in the "Saxton bill." The "Linson bill" should probably be perfected in one or two particulars where it has inadvertently adopted objectionable features of the "Saxton bill" relating to nominations.

I most earnestly and respectfully recommend to the Legislature the passage of the "Linson bill." If, however, any of its provisions not contained in the "Saxton bill" are objectionable to the majority of the Legislature, I shall not insist upon them. If the provision for filing statements of election expenses is objectionable, that section may be struck out. If the provisions for an action to vacate an office secured by corruption are objectionable, these sections may be struck out.

If the prohibition of "pay envelopes" is objectionable, that may be stricken out. If the provisions prohibiting intimidation and inducements by employers and deduction of lost time while absent to vote are objectionable, these sections may be struck out. If the provisions for an optional official ballot are objectionable, they may be struck out. Then there will be left the provisions for the private booth or compartment system upon which both bills agree. If the name "Linson" is still objectionable, that may be stricken out and "Saxton" substituted. Under whatever name enacted, the private booth or compartment system will be sufficient substance alone to make the most important bill of the session. The course I recommend has

been substantially or in part recommended by the Union League club of New York city, a social and political club held in high esteem by the majority of the Legislature.

The "Saxton bill," in the form in which it is presented to me, is an impossibility. It is equally impossible whether approved or disapproved. It grasps beyond the Constitution after the unattainable, and returns empty-handed. Macaulay well says: "An acre in Middlesex is better than a principality in Utopia. The smallest actual good is better than the most magnificent promises of impossibilities." Another writer has said: "There is a certain class of reformers who attempt too much, and in so attempting defeat their own end, and injure the cause they would benefit." If I should approve this bill, so many of its provisions would be null and void under the Constitution, so many other provisions would be conflicting and so many others absolutely unworkable that the confusion, expense and litigation which would result would so disgust the people with the name of ballot reform as to set back real progress for years afterward. If I should approve this bill, the just condemnation which I would receive after an experience of its evils in the next election, would be much more severe than any criticism which I may now possibly receive from those who will not read carefully either the bill itself, or the reasons which I have given for my action. I am not opposed to ballot reform, but I am opposed to the ballot destruction which this bill would accomplish. I am not opposed to an official ballot, but I am opposed to the conflicting, expensive, confusing, disfranchising and unconstitutional official ballot proposed by this bill. The reasons for refusing to approve this bill are so clear and convincing that I would do violence to my sense of official responsibility if I should yield my own judgment, and act otherwise than in accordance with my convictions.

I respectfully and earnestly recommend the Legislature to enact during the present session a bill embodying, at least, those provisions which the Legislature and the Executive agree will tend to reduce the evils of political corruption.

DAVID B. HILL.

Mr. Saxton moved that said bill and the accompanying message be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 261) entitled "An act in relation to the old armory building on Thirty-fifth and Thirty-sixth streets, Broadway and Sixth avenue, in the city of New York," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Hamilton	Mase	Savery
Adams	Demarest	Harwood	McCann	Schaaff
Ainsworth	Dinkelspiel	Hayes	McCarren	Sheehan

Andrus	Donaldson	Hitt	McKenzie	Smith, T.
Aspinall	Duffy	Hughes	Mead	Sperry
Baker, A. B.	Dunham	Husted	Miley	Stevens
Barton	Dunlap	Kelly	Miller	Strassburg
Bauer	Edwards	Kerrigan	Moffitt	Townsend
Brown	Endres	Kimball	Moody	Treadway
Brownell	Fitts	King	Murray	Upson
Bush, G. H.	Gibbs	Lane	Nixon	Van Gorder
Bush, R. P.	Greene	Larmon	Pearsall	Walters
Carson	Groat	Lewis	Rhodes	Whipple
Clarke, C. C.	Guenther	Little	Rice	Yates
Coon	Haffner	Loder	Roesch	Young
Crosby	Hagan	Longley	Ryan	Youngman
Davidson	Haggerty	Martin		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 968) entitled "An act to amend chapter 109 of the Laws of 1880, entitled 'An act to provide for the establishment of a union free school or schools within the corporate limits of the village of Cortland,' as amended by chapter 142 of the Laws of 1881," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dante	Haggerty	McCarren	Schaaff
Adams	Davidson	Hamilton	McKenzie	Sheehan
Ainsworth	Decker	Hayes	McLaughlin	Sheldon
Andrus	Demarest	Hitt	Mead	Smith, M. A.
Aspinall	de Peyster	Hughes	Mesick	Smith, T.
Baker, A. B.	Dinkelspiel	Husted	Miley	Stevens
Barton	Donaldson	Kelly	Moffitt	Tefft
Bauer	Duffy	Kent	Moody	Townsend
Blumenthal	Dunham	Kerrigan	Murray	Treadway
Brown	Dunlap	Kimball	Newschafer	Van Gorder
Brownell	Edwards	Lane	Nixon	Walters
Bush, G. H.	Endres	Larmon	Pearsall	Whipple
Bush, R. P.	Enz	Loder	Peck	Yates
Carson	Fitts	Longley	Roesch	Yetman
Clarke, C. C.	Groat	Mase	Saunders	Young
Cronin	Guenther	Maynard	Savery	Youngman
Curtis	Haffner	McCann	Saxton	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1201) entitled "An act to amend chapter 583 of the Laws of 1888, being an act entitled 'An act to revise and combine in

a single act all existing special and local laws affecting public interests in the city of Brooklyn,' so as to abolish the office of constable and provide for the appointment of marshals instead thereof," having been announced for a third reading,

Mr. Sperry moved to strike out section 1.

Mr. Ainsworth moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Sperry, and it was determined in the negative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 48 }
{ NOES 47 }

Those who voted in the affirmative, were

Blake	Duffy	Hayes	Miley	Schaaff
Blanchfield	Dunham	Hitt	Miller	Sheehan
Blumenthal	Endres	Hornidge	Mullaney	Smith, M. A.
Bush, G. H.	Graham	Kent	Murray	Smith, T.
Bush, R. P.	Greene	Kerrigan	Newschafer	Strassburg
Clarke, C. C.	Guenther	Longley	O'Neil	Sullivan
Connelly	Haffner	Martin	Rice	Towne
Cronin	Hagan	McAdam	Roesch	Townsend
Demarest	Haggerty	McCann	Ryan	Yetman
Dinkelspiel	Harwood	McCarren		

Those who voted in the negative, were

Acker	Crosby	King	Moffitt	Sperry
Ainsworth	Davidson	Lane	Moody	Stevens
Andrus	Decker	Little	Nixon	Tefft
Aspinall	de Peyster	Loder	Pearsall	Upson
Bauer	Donaldson	Mase	Peck	Van Gorder
Brown	Dunlap	Maynard	Saunders	Walters
Brownell	Edwards	McKenzie	Savery	Whipple
Carson	Gallup	Mead	Saxton	Yates
Cheney	Groat	Mesick	Smith, C.	Youngman
Coon	Hamilton			

The bill (No. 151) entitled "An act to authorize the dock department of the city of New York to construct a pier on the East river for the public use and enjoyment," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative a majority of all the members elected to the Assembly voting in favor thereof, three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Fish	Longley	Saxton
Ainsworth	Connelly	Fitts	McCarren	Sheehan
Andrus	Coon	Gibbs	McLaughlin	Sheldon
Aspinall	Cottrell	Graham	Miley	Smith, C.
Baker, A. B.	Crosby	Haffner	Moffitt	Smith, M. A.
Baker, A. H.	Curtis	Haggerty	Moody	Smith, T.
Barton	Dante	Hamilton	Mullaney	Sperry
Bauer	Davidson	Hayes	Murray	Stevens
Blake	Demarest	Hitt	Newschafer	Sullivan
Blanchfield	Dinkelspiel	Hornidge	Nixon	Towne
Brownell	Duffy	Hughes	Pearsall	Townsend
Bush, G. H.	Dunham	Kent	Rhodes	Treadway
Bush, R. P.	Dunlap	Kerrigan	Roesch	Upson
Carson	Edwards	Lane	Ryan	Walters
Cheney	Endres	Larmon	Saunders	Yates
Clarke, C. C.	Enz	Little	Savery	Yetman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 122) entitled "An act to create an additional ward in the city of Schenectady," having been announced for a third reading,

Mr. Yates moved to lay the same upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hamilton offered for the consideration of the House a resolution, in the words following:

Resolved, That the vote by which the resolution providing that Senate bill (No. 139) entitled "An act relative to the repavement of streets and avenues in the city of New York," be returned to the Governor without amendment was adopted, be reconsidered.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill (No. 971) entitled "An act to amend chapter 313 of the Laws of 1886, entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of New York,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 76 }
{ NOES 3 }

Those who voted in the affirmative, were

Acker	Connelly	Graham	Mase	Sheldon
Ainsworth	Coon	Greene	McAdam	Smith, C.
Andrus	Cottrell	Groat	McCann	Smith, M. A.

Aspinall	Cronin	Guenther	McCarren	Smith, T.
Baker, A. B.	Curtis	Haffner	Mesick	Sperry
Baker, A. H.	Dante	Haggerty	Miller	Strassburg
Barton	Davidson	Hitt	Moffitt	Sullivan
Bauer	Decker	Hughes	Newschafer	Tefft
Blake	Demarest	Kent	Pearsall	Towne
Blanchfield	Donaldson	Kerrigan	Rice	Treadway
Blumenthal	Dunlap	Kimball	Roesch	Van Gorder
Brown	Edwards	King'	Ryan	Walters
Brownell	Endres	Lane	Savery	Whipple
Cheney	Fish	Larmon	Schaaff	Young
Clarke, C. C.	Fitts	Lewis	Sheehan	Youngman
Comstock				

Those who voted in the negative, were

Carson Crosby Mead

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 973) entitled "An act to amend chapter 555 of the Laws of 1855, entitled 'An act to amend the act to incorporate the village of Clyde, in the county of Wayne, passed May 2, 1835, and the acts amendatory thereof, passed May 14, 1840, and April 14, 1852,' relating to police justice," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Graham	Maynard	Saxton
Ainsworth	Connelly	Guenther	McCarren	Schaaff
Andrus	Cronin	Haffner	Mead	Sheldon
Aspinall	Crosby	Hagan	Mesick	Smith, C.
Baker, A. B.	Dante	Haggerty	Miley	Smith, T.
Baker, A. H.	Davidson	Hamilton	Moffitt	Sperry
Barton	Decker	Hitt	Mullaney	Stevens
Bauer	Demarest	Hughes	Murray	Towne
Blanchfield	Dinehart	Kent	Newschafer	Townsend
Blumenthal	Davidson	Kimball	Pearsall	Treadway
Brown	Dunham	King	Peck	Upton
Brownell	Dunlap	Lane	Rhodes	Van Gorder
Bush, G. H.	Edwards	Larmon	Roesch	Walters
Bush, R. P.	Endres	Le Roy	Ryan	Whipple
Carson	Enz	Little	Saunders	Young
Cheney	Fish	Loder	Savery	Youngman
Clarke, C. C.	Fitts	Martin		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 894) entitled "An act to amend section 1066 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act, and to declare the special and local laws affecting public interests in the city of New York,' relative to certain institutions," having been announced for a third reading,

Mr. Crosby moved to amend said bill as follows:

Section 1, lines 4 and 5, printed bill, strike out the words "amended so as to read as follows" and insert the word "repealed."

Same section, strike out all of lines 6 to 31, both inclusive.

Amend the title by striking out in line 1 the word "amend" and inserting in lieu thereof the word "repeal."

Mr. Gallup moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Hamilton called for the ayes and noes.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Crosby, and it was determined in the negative.

{ AYES 48 }
{ NOES 49 }

Those who voted in the affirmative, were

Acker	Crosby	Gibbs	Little	Pearsall
Adams	Davidson	Greene	Loder	Rhodes
Ainsworth	Decker	Hamilton	Maynard	Saunders
Aspinall	de Peyster	Harwood	McKenzie	Sheldon
Baker, A. B.	Donaldson	Hughes	McMaster	Sperry
Baker, A. H.	Edwards	Kimball	Mead	Stevens
Bush, G. H.	Enz	King	Mesick	Van Gorder
Carson	Fish	Lane	Moody	Walters
Cheney	Fitts	Larmon	Nixon	Whipple
Cottrell	Gallup	Lewis		

Those who voted in the negative, were

Andrus	Dante	Hayes	Miley	Sheehan
Barton	Demarest	Hitt	Miller	Smith, C.
Bauer	Dinkelspiel	Kelly	Moffitt	Smith, T.
Blake	Duffy	Kent	Mullaney	Strassburg
Blanchfield	Endres	Kerrigan	Newschafer	Sullivan
Blumenthal	Graham	Le Roy	O'Neil	Townsend
Brown	Guenther	Martin	Rice	Upson
Brownell	Haffner	McCann	Roesch	Yates
Connelly	Hagan	McCarren	Ryan	Youngman
Cronin	Haggerty	McLaughlin	Schaaff	

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 53 }
{ NOES 43 }

Those who voted in the affirmative, were

Ainsworth	Connelly	Hagan	McCarren	Roesch
Andrus	Cronin	Haggerty	McLaughlin	Ryan
Baker, A. B.	Dante	Hayes	Miley	Schaaff
Barton	Demarest	Hitt	Miller	Sheehan
Bauer	Dinkelspiel	Kelly	Moffitt	Smith, T.
Blake	Duffy	Kent	Mullaney	Strassburg
Blanchfield	Dunham	Kerrigan	Murray	Sullivan
Blumenthal	Endres	Longley	Newschafer	Townsend
Brown	Graham	Martin	O'Neil	Upson
Cheney	Guenther	McAdam	Rice	Yates
Clarke, C. C.	Haffner	McCann		

Those who voted in the negative, were

Acker	Decker	Kimball	McKenzie	Sperry
Adams	de Peyster	King	McMaster	Stevens
Aspinall	Edwards	Lane	Mead	Tefft
Baker, A. H.	Enz	Larmon	Moody	Towne
Carson	Fish	Le Roy	Nixon	Van Gorder
Comstock	Fitts	Lewis	Pearsall	Walters
Cottrell	Gibbs	Little	Peck	Whipple
Crosby	Groat	Loder	Sheldon	Youngman
Davidson	Hamilton	Maynard		

Mr. Blumenthal moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That Senate bill No. 445, entitled "An act to provide for the erection of a State armory at the village of Glens Falls, in the county of Warren, and making an appropriation therefor," be returned to the Governor without amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That Senate bill No. 318, entitled "An act to provide for the erection of a State armory in the village of Geneva, and making an appropriation therefor," be returned to the Governor without amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill entitled "An act to revise, amend and

consolidate the several acts relating to the village of Cortland, and to repeal certain acts and parts of acts" (Int. No. 1172), with a message that they have concurred in the passage of the same, with the following amendments:

(Reference to engrossed bill.)

Section 2, line 4, before the word "Main" strike out the word "South."

Page 2, line 3, after the words "center of" insert the words "Main and," and strike out the word "street" and insert in lieu thereof the word "streets."

Same page, line 9, strike out the word "street" and insert the word "streets."

Same page, line 18, strike out the words "north and south."

Page 5, line 24, strike out the word "may."

Page 7, line 21, strike out the word "twenty."

Page 9, line 14, strike out the word "from" and insert the word "of."

Page 10, line 8, after the word "and" insert the words "may hold."

Page 11, line 2, strike out the word "at" and insert the word "from."

Same page, line 17, after the word "enforced" insert the words "by such board or committee."

Page 14, line 35, strike out the word "observace" and insert the word "observance."

Page 24, line 20, after the word "of" insert the words "the village of," and after the word "Cortland" strike out the word "village."

Page 26, line 10, after the word "weeks" insert the word "next."

Page 27, line 24, strike out the word "or" and insert the word "and."

Page 28, line 16, strike out the words "taxes" and insert the word "assessments."

Same page, line 22, strike out the word "all" and insert the word "each."

Same page, same line, strike out the word "persons" and insert the word "person," and strike out the word "are" and insert the word "is."

Page 30, line 13, after the word "all" insert the words "of them."

Page 31, line 36, and page 32, line 1, strike out the words "the post-office of said owner if known," and insert the words "him at his last known post-office, with postage prepaid."

Page 32, line 7, strike out the word "of" and insert the word "to."

Same page, line 26, strike out the word "recover" and insert the word "obtain."

Same page, line 29, strike out the word "recover" and insert the word "obtain."

Page 33, line 19, strike out the word "as" and insert the word "at."

Page 34, line 5, strike out the word "tax-roll" and insert the word "tax-list."

Same page, line 10, strike out the words "whose names and taxes are."

Page 37, line 8, strike out the word "engines" and insert the word "boilers."

Page 38, line 19, strike out the word "thereupon" and insert the word "thereon."

Page 40, line 31, strike out the word "summons" and insert the word "subpoenas."

Page 42, line 17, strike out the words "or amend."

Same page, same line, after the word "return" insert the words "or to amend the same at any time within ten days after the filing thereof."

Same page, lines 18 and 19, strike out the words "at any time within ten days after the filing thereof."

Page 43, line 36, strike out the word "papers" and insert the word "newspapers."

Page 44, line 11, after the word "agent" insert the words "and with the postage prepaid thereon."

Page 50, line 4, after the word "occurred" insert the words "and the."

Same page, line 29, strike out the word "or."

Same page, line 30, strike out the words "it is."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Haffner	McCarren	Sheehan
Adams	Cottrell	Harwood	McKenzie	Sheldon
Ainsworth	Dante	Hayes	McLaughlin	Smith, C.
Andrus	Decker	Hitt	Mead	Smith, M. A.
Aspinall	Dinkelspiel	Hornidge	Moffit	Smith, T.
Baker, A. B.	Donaldson	Hughes	Moody	Sperry
Baker, A. H.	Dunham	Husted	Newschafer	Stevens
Barton	Edwards	Kent	Nixon	Tefft
Bauer	Endres	Kerrigan	O'Neil	Towne
Blanchfield	Enz	Kimball	Pearsall	Townsend
Blumenthal	Fish	King	Peck	Treadway
Brown	Fitts	Lewis	Rhodes	Upson
Brownell	Gibbs	Little	Roesch	Van Gorder
Bush, R. P.	Graham	Loder	Ryan	Walters
Carson	Greene	Longley	Saunders	Whipple
Cheney	Groat	Maynard	Saxton	Yetman
Clark, J.	Guenther	McAdam	Schaaff	Youngman
Clarke, C. C.				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

A message from the Senate was received and read, in the words following:

IN SENATE, *May 10, 1889.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (Int. No. 109) entitled "An act to amend title 11 of chapter 583 of the Laws of 1888, entitled 'An act

to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn." (Rec. No. 48.)

The vote upon the final passage of said bill having been reconsidered, On motion of Mr. Worth, and by unanimous consent, the same was amended as follows:

Amend the title by inserting in line 2, after the word "amend," the words "section 6 of"; add after the word "Brooklyn" the words "relating to detective sergeants."

And as amended, passed, reëngrossed and ordered to be sent to the Assembly for concurrence.

By order.

JOHN S. KENYON, *Clerk.*

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Clarke, C. C.	Fitts	McCann	Schaaff
Adams	Comstock	Gallup	McCarren	Sheldon
Ainsworth	Connelly	Gibbs	McKenzie	Smith, M. A.
Andrus	Coon	Graham	McMaster	Smith, T.
Aspinall	Cottrell	Greene	Mead	Strassburg
Baker, A. B.	Cronin	Groat	Miley	Tefft
Barton	Crosby	Guenther	Moffitt	Towne
Bauer	Curtis	Haffner	Moody	Townsend
Blanchfield	Davidson	Hayes	Murray	Treadway
Blumenthal	Decker	Hughes	Newschafer	Van Gorder
Brown	Demarest	Kent	Nixon	Walters
Brownell	Dinkelspiel	Kimball	O'Neil	Whipple
Bush, G. H.	Dunlap	Lane	Pearsall	Yetman
Bush, R. P.	Edwards	Larmon	Peck	Young
Carson	Endres	Lewis	Roesch	Youngman
Cheney	Enz	Little	Ryan	

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 77 }
{ NOES 2 }

Those who voted in the affirmative, were

Acker	Carson	Greene	Mase	Saxton
Adams	Cheney	Groat	Maynard	Schaaff
Ainsworth	Clarke, C. C.	Guenther	McCann	Sheldon
Andrus	Comstock	Haffner	McCarren	Smith, M. A.
Aspinall	Cottrell	Haggerty	McKenzie	Smith, T.

Baker, A. B.	Cronin	Harwood •	McMaster	Stevens
Baker, A. H.	Davidson	Hornidge	Miley	Tefft
Barton	Decker	Hughes	Murray	Towne
Bauer	Demarest	Husted	Newschafer	Upson
Blake	Dinkelspiel	Kent	O'Neil	Van Gorder
Blanchfield	Dunlap	Kimball	Rice	Walters
Blumenthal	Edwards	Lane	Roesch	Whipple
Brown	Endres	Larmon	Ryan	Yates
Brownell	Fitts	Lewis	Saunders	Yetman
Bush, G. H.	Gibbs	Little	Savery	Youngman
Bush, R. P.	Graham			

Those who voted in the negative, were

Crosby Sperry

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

A message from the Senate was received and read in the words following:

IN SENATE, *May 10, 1889.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill No. 466, entitled "An act to authorize the city of Syracuse to acquire, construct, maintain and operate a system of water-works to supply said city and its inhabitants with water, and to issue its bonds in payment therefor, and to create a board of water commissioners in and for said city." (Rec. No. 301.)

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. Hendricks, and by unanimous consent, the same was amended as follows:

Section 1, line 2, engrossed bill, strike out the words "passage of this act" and insert the words "first Tuesday in June, 1889."

Section 3, line 1, after the word "water" insert the words "from Skaneateles lake."

Same section, line 14, after the word "water-works" insert the words "and to contract for the execution of said work, or any part thereof, and for supplying any and all necessary materials therefor."

Same section, page 3, line 14, strike out the word "including" and insert the words "said board may also acquire."

Same section and page, line 19, after the words "to do" strike out the words "and to contract for the execution of said work, or any part thereof, and for supplying any and all necessary materials therefor" and insert the words "and control, maintain and operate the same."

Strike out section 29, and insert the following:

"§ 29. On the first Tuesday in June next a special election shall be held in the city of Syracuse, at which the voters in said city, qualified to vote and registered as voters at the last preceding general election, may vote either one of a written or printed ballot in the following forms: 'In favor of city ownership and control of the water supply' or 'Against city ownership and control of the water supply.' The

inspectors of such election shall be the persons who were elected at the last preceding charter election and the polling places the same unless otherwise prescribed by said common council. Said inspectors shall, on the day or evening of such election, and without adjournment, count and certify the number of affirmative and negative votes in the several election districts, and file such certificates within twenty-four hours thereafter in the office of the clerk of Onondaga county, who shall thereupon and within twenty-four hours after the filing of such certificates ascertain the whole number of affirmative and negative votes given at said election; and a written statement and declaration thereof shall be recorded by him in the book or books in which other election canvasses are recorded. Except as herein provided all general laws regulating elections in cities shall be deemed applicable to the said election. The inspectors of election aforesaid shall sit as a board of registration in each of the election districts of said city, on Friday preceding such special election, from 9 o'clock in the morning until 6 o'clock in the evening of said day, and also on Saturday prior to such election from 9 o'clock in the morning until 9 o'clock in the evening of said day, and at such sittings shall proceed to make lists of persons entitled to vote at such election. As a basis for such lists they shall first copy the poll-lists of those who voted at the last general election held in said city. Except as herein otherwise provided, all the provisions of law relating to the registration of voters at general and municipal elections shall, so far as the same are applicable, apply to the said election required to be held under this act.

"§ 30. The city clerk of the city of Syracuse shall cause to be printed at least 50,000 of each of said ballots, which shall be distributed to the inspectors of the several election districts of said city for use at said election proportionate to the vote of said ward at the general election next preceding such special election, at least three days prior to the day of the election herein provided for, and it shall be the duty of said inspectors to have at least half of each kind of the said ballots so furnished them at the polls at such election for distribution on election day.

"§ 31. The city clerk of the city of Syracuse shall cause a proper notice of said election herein provided for to be published once a day for at least one week prior to said election in each of the daily papers published in said city; and shall also cause three copies of said notice to be posted in conspicuous places in each election district of said city at least one week prior to said election.

"§ 32. This act shall take effect immediately; but none of the powers herein given to the said board of water commissioners or to the said mayor and common council (except as to the special election herein provided for) shall be exercised by them or either of them until or unless a majority of all the votes to be given at the election herein provided for shall be in favor of city ownership and control of the water supply."

Amend the title so as to read "An act to establish and maintain a water department in and for the city of Syracuse."

And as amended passed, reëngrossed, and ordered to be sent to the Assembly for concurrence. By order.

JOHN S. KENYON, *Clerk.*

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Haggerty	Maynard	Rhodes
Adams	Crosby	Hamilton	McAdam	Roesch
Ainsworth	Dante	Harwood	McCann	Ryan
Andrus	Decker	Hitt	McCarren	Saunders
Aspinall	Demarest	Hughes	McKenzie	Schaaff
Baker, A. B.	Dinkelspiel	Husted	McMaster	Sheldon
Bauer	Dunlap	Kelly	Mead	Smith, C.
Blake	Endres	Kent	Mesick	Sperry
Blanchfield	Enz	Kerrigan	Moffitt	Stevens
Blumenthal	Fish	Kimball	Moody	Tefft
Brown	Fitts	King	Murray	Upton
Brownell	Gibbs	Lane	Newschafer	Van Gorder
Bush, R. P.	Graham	Larmon	Nixon	Walters
Carson	Greene	Lewis	O'Neil	Whipple
Cheney	Groat	Loder	Pearsall	Yates
Clarke, C. C.	Guenther	Longley	Peck	Youngman

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 75 }
{ NOES 6 }

Those who voted in the affirmative, were

Acker	Cottrell	Greene	McKenzie	Ryan
Adams	Cronin	Hamilton	McMaster	Saunders
Ainsworth	Crosby	Harwood	Mead	Savery
Baker, A. B.	Dante	Hitt	Mesick	Saxton
Barton	Davidson	Hughes	Miley	Sheldon
Bauer	Decker	Kelly	Moffitt	Smith, C.
Blanchfield	Demarest	Kent	Moody	Sperry
Blumenthal	Dinkelspiel	Lewis	Murray	Stevens
Brown	Donaldson	Loder	Newschafer	Towne
Brownell	Dunham	Longley	Nixon	Townsend
Bush, R. P.	Dunlap	Martin	Pearsall	Upton
Carson	Edwards	Maynard	Peck	Van Gorder
Cheney	Enz	McAdam	Rhodes	Walters
Clarke, C. C.	Gibbs	McCann	Rice	Whipple
Comstock	Graham	McCarren	Roesch	Yates

Those who voted in the negative, were

Andrus	Gallup	Guenther	Sheehan	Youngman
Endres				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

The Senate sent for concurrence the following entitled bills:

"An act to amend chapter 276 of the Laws of 1880, entitled 'An act to amend chapter 251 of the Laws of 1857, entitled An act to amend and consolidate the charter of the village of Le Roy'" (Rec. No. 367), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. McKenzie, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

"An act in relation to the payment of the salary of John H. Roberts, formerly the chief recording clerk in the office of the clerk of the city and county of New York" (Rec. No. 368), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Gibbs, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 26, 1889. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 592, entitled "An act to authorize the Board of Claims to hear, audit and determine the claim or claims of William Fuller and sons against the State, and to make an award therefor."

DAVID B. HILL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 76 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Fitts	McKenzie	Saxton
Adams	Cottrell	Graham	McMaster	Schaaß
Ainsworth	Cronin	Guenther	Mead	Sheehan
Andrus	Curtis	Haffner	Mesick	Sheldon
Aspinall	Dante	Haggerty	Miley	Smith, C.
Baker, A. B.	Davidson	Harwood	Miller	Stevens
Bauer	Decker	Hughes	Moffitt	Tefft
Blanchfield	Demarest	Kent	Moody	Townsend
Blumenthal	de Peyster	Lane	Murray	Upson
Brown	Dinkelspiel	Larmon	Newschafer	Van Gorder
Brownell	Donaldson	Lewis	Pearsall	Walters
Bush, G. H.	Dunlap	Loder	Rice	Whipple
Bush, R. P.	Edwards	Longley	Roesch	Yates
Carson	Endres	Martin	Ryan	Young
Cheney	Enz	Maynard	Savery	Youngman
Clarke, C. C.				

The vote upon the final passage of said bill having been reconsidered, On motion of Mr. Speaker, and by unanimous consent, the same was laid upon the table.

Mr. Maynard offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 1160, entitled "An act to amend chapter 193 of the Laws of 1885, entitled 'An act to amend chapter 202 of the Laws of 1884, entitled An act to prevent deceptions in the sales of dairy products,'" be committed to the committee on public health for a hearing.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Husted offered for the consideration of the House a resolution, in the words following:

Resolved, That Senate bill No. 581, entitled "An act to amend chapter 305 of the Laws of 1885, entitled 'An act authorizing street surface railroad companies to contract with each other, and providing for a proper system of transfer of passengers,' and to permit partial abandonment of route by such railroad companies," now on the order of third reading, be read the third time to-morrow.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Little offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 589, entitled "An act providing the manner in which the compensation of overseers of the poor of the several towns in this State shall be fixed," now on the order of third reading, be read the third time on Wednesday evening.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Little offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 741, entitled "An act authorizing boards of supervisors to fix the salary of coroners of their respective counties instead of paying them fees," now on the order of third reading be read the third time on Monday evening.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate returned the Senate bill entitled "An act to provide for the completion of the inclosure of Morningside park, and of the bays and approaches to, and of the sidewalks bounding said park, in the city of New York" (No. 300), with a message that they have concurred in the amendments of the Assembly thereto.

Ordered, That the Clerk return said bill to the Senate.

The privileges of the floor were extended to Hons. W. D. Tisdale, Mr. Ronan, O. H. Curtis, Senator Koch and Forest Commissioner Cox.

On motion of Mr. Dinkelspiel, the House adjourned.

TUESDAY, MAY 14, 1889.

The House met pursuant to adjournment.

Prayer by Rev. Andrew V. V. Raymond.

On motion of Mr. McKenzie, the journal of yesterday was approved without being read.

Mr. McKenzie offered for the consideration of the House a resolution, in the words following:

Resolved, That Senate bill, not printed, entitled "An act to amend chapter 276 of the Laws of 1880, entitled 'An act to amend chapter 251 of the Laws of 1857, entitled An act to amend and consolidate the charter of the village of Le Roy'" (Rec. No. 367), now on the order of third reading, be read the third time to-day.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Youngman offered for the consideration of the House a resolution, in the words following:

Resolved, That Senate bill, not printed, entitled "An act to amend chapter 230 of the Laws of 1884, entitled 'An act to authorize and enable the county of Kings, for the care, custody and relief of its poor and insane, to purchase, erect and maintain outside of the limits of said county, a farm and buildings, and to issue bonds to meet the expense thereof'" (Rec. No. 101), now on the order of third reading, be read the third time to-day.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

{ AYES 54 }
{ NOES 36 }

Those who voted in the affirmative, were

Acker	Comstock	Fish	Little	Peck
Adams	Coon	Fitts	Loder	Rhodes
Ainsworth	Cottrell	Flaherty	Maynard	Saxton
Andrus	Crosby	Gallup	McAdam	Stevens
Baker, A. B.	Davidson	Groat	McKenzie	Tefft
Bauer	Decker	Hamilton	McMaster	Treadway
Blumenthal	Dinehart	Hughes	Mead	Van Gorder
Brown	Donaldson	Husted	Mesick	Walters
Carson	Dunlap	Lane	Moffitt	Whipple
Cheney	Edwards	Larmon	Moody	Youngman
Clark, J.	Enz	Lewis	Pearsall	

Those who voted in the negative, were

Blake	Endres	Kelly	McLaughlin	Schaaff
Blanchfield	Gibbs	Kent	Miley	Sheehan
Bush, R. P.	Haffner	Kerrigan	Mullaney	Smith, T.
Connelly	Hagan	Longley	Murray	Sperry

Demarest	Haggerty	Martin	Newschafer	Strassburg
Dinkelspiel	Hayes	McCann	O'Neil	Yetman
Duffy	Hitt	McCarren	Ryan	Young
Dunham				

On motion of Mr. Husted, and by unanimous consent, the committee on railroads was discharged from the further consideration of Senate bill No. 590, entitled "An act to amend chapter 252 of the Laws of 1884, entitled 'An act to provide for the construction, extension, maintenance and operation of street surface railroads and branches thereof in cities, towns and villages,'" and the same was ordered to a third reading, and to be read the third time to-day.

Mr. Gibbs offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 1085, entitled "An act to authorize the fixing of salaries of patrolmen acting as precinct detectives of police in the city of New York," now on the order of third reading, be read the third time on Wednesday morning after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Haggerty offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill, No. 457, entitled "An act to amend chapter 463 of the Laws of 1853, entitled 'An act to provide for the incorporation of life and health insurance companies and casualty insurance companies, and in relation to agencies for such companies,' and the acts amendatory thereof" (Rec. No. 190), and that the same be ordered to a third reading, and to be read the third time to-day.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. McCann stated: I was unavoidably absent on last Monday evening when Mr. Roesch's bill entitled "An act to provide for the weekly payment of wages by corporations," came up for final passage. Had I been present I would cheerfully have voted for the bill, and I desire to have that statement entered on the journal.

Mr. Hagan offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 1191, entitled "An act to amend chapter 582 of the Laws of 1880, entitled 'An act to provide for excavating for transportation purposes within villages and cities of this State,'" now on the order of third reading, be read the third time this morning.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

On motion of Mr. Ainsworth, and by unanimous consent, Assembly bill No. 1210, entitled "An act to regulate the lighting of steam passenger cars," now on the order of third reading, was ordered to be read the third time to-day.

The Speaker presented the twelfth annual report of the New York State Dairymen's Association, with transactions and addresses, for the year 1888; which was laid upon the table and ordered printed.

(See Doc. No. 106.)

On motion of Mr. Andrus, the privileges of the floor were extended to Gen. Graves and others of the citizens' committee of Buffalo.

The privileges of the floor were extended to Hon. W. F. Kerns.

Indefinite leave of absence was granted to Mr. West.

A communication from the Governor was received and read in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 24, 1889.

To the Assembly:—

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 784, entitled "An act to provide for the erection of a State armory in the village of Cortland, county of Cortland, and making an appropriation therefor."

DAVID B. HILL.

The question recurring upon reconsideration of the vote by which said bill was passed,

Mr. Peck offered the following:

Resolved (if the Senate concur), That said bill be returned to the Governor without amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate sent for concurrence the following entitled bills:

"An act to provide for the payment of the cost and expenses of the construction of a trunk sewer on the east side of the Genesee river in the city of Rochester, by the issue of bonds of said city, and to provide for the payment of said bonds by local assessments" (Rec. No. 369), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to amend chapter 516 of the Laws of 1887, entitled 'An act to amend chapter 230 of the Laws of 1886, entitled An act to amend chapter 254 of the Laws of 1879, entitled An act to amend chapter 87 of the Laws of 1875, entitled An act providing for the appointment of additional notaries public'" (Rec. No. 370), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. McCarren, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

"An act to authorize the Board of Claims to hear, audit and determine the claim or claims of John F. Porter, junior, against the State, and to make an award therein" (Rec. No. 371), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hitt, and by unanimous consent, said bill was ordered to a third reading, and to be read May fifteenth.

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act

to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to police justices and police courts" (Rec. No. 372), which was read the first time, and by unanimous consent was also read the second time.

Mr. Gibbs moved to commit said bill to the committee on affairs of cities, with instruction to report complete.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Gibbs moved that said bill have its third reading to-morrow at 12 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Rhodes offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 954, entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into act, and to declare the special and local laws affecting public interests in the city of New York,' relating to the compensation of Hell-Gate pilots," now on the order of third reading, be read the third time to-day at 11 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Sperry, and by unanimous consent, Senate bill No. 534, entitled "An act in relation to the use of certain streets and avenues in the city of Brooklyn" (Rec. No. 213), now on the order of third reading, was ordered to be read the third time to-day.

On motion of Mr. Sperry, and by unanimous consent, Senate bill No. 554, entitled "An act to amend an act entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' so far as relates to contracts" (Rec. No. 244), now on the order of third reading, was ordered to be read the third time to-day.

Mr. Curtis offered for the consideration of the House a resolution in the words following:

Resolved, That there be a session of this House this afternoon from 4 to 6 o'clock, for the purpose of reading bills in their order only.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate bill (No. 581) entitled "An act to amend chapter 305 of the Laws of 1885, entitled 'An act authorizing street surface railroad companies to contract with each other, and providing for a proper system of transfer of passengers,' and to permit partial abandonment of route by such railroad companies" (Rec. No. 255), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 75 }
{ NOES 15 }

Those who voted in the affirmative, were

Acker	Dante	Haggerty	McAdam	Saunders
Adams	Davidson	Hamilton	McCann	Savery
Ainsworth	Decker	Harwood	McCarren	Saxton
Aspinall	Demarest	Hitt	McKenzie	Sheldon
Baker, A. B.	Dinehart	Hughes	McLaughlin	Smith, C.
Baker, A. H.	Dinkelspiel	Husted	McMaster	Smith, M. A.
Bauer	Donaldson	Kelly	Mesick	Stevens
Blanchfield	Dunlap	Kimball	Miley	Tefft
Carson	Edwards	Lane	Mullaney	Towne
Cheney	Enz	Larmon	Murray	Van Gorder
Clark, J.	Fish	Le Roy	Newschafer	Walters
Comstock	Fitts	Lewis	Nixon	Whipple
Cottrell	Gibbs	Longley	Peck	Yetman
Cronin	Groat	Mase	Rhodes	Youngman
Curtis	Hagan	Maynard	Ryan	Speaker

Those who voted in the negative, were

Blumenthal	Connelly	Endres	Mead	Sheehan
Bush, G. H.	Coon	Gallup	Pearsall	Sperry
Bush, R. P.	Crosby	Guenther	Schaaff	Strassburg

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1239) entitled "An act to amend chapter 214 of the Laws of 1888, entitled 'An act to revise the charter of the city of Binghamton,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cheney	Donaldson	King	Saunders
Adams	Clark, J.	Dunlap	Lane	Savery
Ainsworth	Clarke, C. C.	Edwards	Lewis	Sheehan
Andrus	Comstock	Endres	Little	Sheldon
Aspinall	Connelly	Enz	Maynard	Smith, C.
Baker, A. B.	Coon	Fish	McCann	Sullivan
Baker, A. H.	Cottrell	Fitts	McCarren	Townsend
Bauer	Cronin	Flaherty	McKenzie	Treadway
Blake	Crosby	Gibbs	McMaster	Van Gorder
Blanchfield	Curtis	Groat	Mead	Walters
Blumenthal	Dante	Haggerty	Mesick	Whipple
Brown	Davidson	Hughes	Newschafer	Yates
Brownell	Decker	Husted	O'Neil	Yetman

Bush, G. H.	Demarest	Kelly	Pearsall	Young
Bush, R. P.	Dinehart	Kent	Peck	Youngman
Carson	Dinkelspiel	Kimball	Ryan	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Husted, and by unanimous consent, the Senate bill (Rec. No. 349) entitled "An act to legalize, ratify and confirm a vote of the electors of the town of Bedford, in the county of Westchester, cast at the annual town meeting held in said town on the 26th day of March, 1889, appropriating the sum of \$800 for the purpose of aiding in the repair of Bedford court-house," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Clark, J.	Gibbs	Martin	Saxton
Adams	Clarke, C. C.	Groat	McAdam	Schaaff
Ainsworth	Comstock	Haffner	McCarren	Smith, M. A.
Andrus	Coon	Hagan	McKenzie	Smith, T.
Aspinall	Cottrell	Haggerty	Mead	Sperry
Baker, A. B.	Cronin	Hayes	Mesick	Stevens
Baker, A. H.	Curtis	Hitt	Moffitt	Sullivan
Barton	Davidson	Hughes	Moody	Tefft
Bauer	Decker	Husted	Newschafer	Towne
Blake	Demarest	Kent	Nixon	Townsend
Blanchfield	Dinehart	Kimball	Pearsall	Upson
Blumenthal	Dinkelspiel	King	Peck	Van Gorder
Brown	Dunham	Lane	Rhodes	Whipple
Brownell	Dunlap	Larmon	Roesch	Yates
Bush, G. H.	Edwards	Lewis	Ryan	Yetman
Bush, R. P.	Endres	Little	Saunders	Young
Carson	Fish	Loder	Savery	Youngman
Cheney	Fitts	Longley		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 590) entitled "An act to amend chapter 252 of the Laws of 1884, entitled 'An act to provide for the construction, extension, maintenance and operation of street surface railroads and branches thereof in cities, towns and villages'" (Rec. No. 361), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
 { NOES 22 }

Those who voted in the affirmative, were

Acker	Cronin	Graham	Little	Saxton
Adams	Crosby	Groat	Loder	Sheldon
Ainsworth	Curtis	Hagan	Longley	Smith, M. A.
Andrus	Davidson	Haggerty	McAdam	Sperry
Aspinall	Decker	Hamilton	McKenzie	Sullivan
Baker, A. B.	Demarest	Harwood	McLaughlin	Tefft
Baker, A. H.	de Peyster	Hitt	McMaster	Towne
Barton	Dinehart	Hornidge	Mesick	Townsend
Bauer	Dinkelspiel	Hughes	Moody	Treadway
Blumenthal	Donaldson	Husted	Mullaney	Upson
Brown	Dunham	Kent	Nixon	Van Gorder
Brownell	Dunlap	Kerrigan	Pearsall	Walters
Carson	Edwards	Kimball	Peck	Whipple
Cheney	Enz	King	Rhodes	Yates
Clark, J.	Fish	Lane	Rice	Yetman
Comstock	Fitts	Larmon	Saunders	Youngman
Connelly	Gallup	Le Roy	Savery	Speaker
Cottrell	Gibbs	Lewis		

Those who voted in the negative, were

Blake	Duffy	Martin	Miley	Schaaff
Blanchfield	Endres	McCann	Newschafer	Smith, C.
Bush, G. H.	Haffner	McCarren	Roesch	Smith, T.
Bush, R. P.	Hayes	Mead	Ryan	Strassburg
Coon	Kelly			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Walters called from the table the bill entitled "An act to authorize the Board of Claims to hear, audit and determine the claim or claims of William Fuller and sons against the State, and to make an award therefor." (No. 592.)

The vote upon the final passage of said bill having previously been reconsidered,

Mr. Walters moved to amend by striking out all of section 1, and inserting the following:

"SECTION 1. The action of Garry V. Rapp, inspector in charge under the Superintendent of Public Works, and of Martin Schenck, engineer in charge, under the State Engineer, in authorizing and directing William Fuller, DeWitt A. Fuller and William D. Fuller, composing the co-partnership firm of William Fuller & Sons, to perform the work and furnish the materials therefor, in building and repairing 263 feet of dyke, in the Hudson river near New Baltimore, in the year 1887, is hereby ratified and confirmed, provided it shall appear upon the hearing hereinafter authorized that such inspector and engineer acted in good faith in authorizing the doing of said work, and the furnishing of said materials, and that the said William Fuller & Sons acted in good faith in doing said work and in furnishing said materials, and that such work and materials done and furnished were for the sub-

stantial benefit of the State, and the Board of Claims is hereby authorized to hear, audit and determine the claim or claims of said William Fuller & Sons for such work and materials so done and furnished, heretofore filed, and to make an award therefor against the State, in case the Board of Claims shall determine that such claim or claims are just and equitable."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Haggerty	McLaughlin	Savery
Adams	Coon	Hamilton	McMaster	Saxton
Ainsworth	Cottrell	Hayes	Mead	Schaaff
Andrus	Decker	Hughes	Mesick	Sheldon
Aspinall	Demarest	Husted	Miley	Smith, C.
Baker, A. B.	Dinehart	Kimball	Moody	Sperry
Baker, A. H.	Dinkelspiel	Lane	Murray	Strassburg
Bauer	Duffy	Larmon	Newschafer	Towne
Blanchfield	Dunham	Little	Nixon	Treadway
Blumenthal	Dunlap	Loder	Pearsall	Walters
Brownell	Edwards	Longley	Peck	Whipple
Bush, G. H.	Fish	Martin	Rhodes	Yates
Bush, R. P.	Fitts	Mase	Roesch	Yetman
Carson	Groat	McCann	Ryan	Young
Cheney	Haffner	McCarren	Saunders	Youngman
Comstock	Hagan	McKenzie		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

Mr. Van Gorder introduced a bill entitled "An act in relation to the publication of the Code of Evidence" (Int. No. 1244), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Van Gorder, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cheney	Fitts	Martin	Ryan
Adams	Clark, J.	Gallup	McAdam	Saunders
Ainsworth	Comstock	Greene	McCann	Savery

Andrus	Coon	Groat	McCarren	Sheehan
Aspinall	Cottrell	Haffner	McKenzie	Smith, C.
Baker, A. B.	Cronin	Hagan	McMaster	Smith, M. A.
Baker, A. H.	Crosby	Harwood	Miley	Sperry
Bauer	Curtis	Hayes	Moody	Strassburg
Blake	Dante	Hitt	Murray	Townsend
Blanchfield	Davidson	Hornidge	Newschafer	Treadway
Blumenthal	Decker	Hughes	Nixon	Van Gorder
Brown	Demarest	Kent	Pearsall	Whipple
Brownell	Dinehart	Lane	Rhodes	Yates
Bush, G. H.	Dinkelspiel	Larmon	Rice	Young
Bush, R. P.	Donaldson	Little	Roesch	Youngman
Carson	Dunlap	Longley		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 603) entitled "An act making a reappropriation of money for the improvement of Orchard creek and canal feeder, and making an additional appropriation therefor" (Rec. No. 331), having been announced for a third reading,

On motion of Mr. Edwards, and by unanimous consent, the same was amended by inserting "before the word "Orchard," in the title, the word "Oak," so it will read "for the improvement of Oak Orchard creek."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Clark, J.	Gibbs	Martin	Sheehan
Adams	Comstock	Groat	McAdam	Sheldon
Ainsworth	Connolly	Haffner	McCann	Smith, C.
Andrus	Coon	Hagan	McCarren	Smith, M. A.
Aspinall	Cottrell	Harwood	McKenzie	Smith, T.
Baker, A. B.	Crosby	Hayes	Moody	Sperry
Baker, A. H.	Curtis	Hitt	Murray	Sullivan
Bauer	Davidson	Hornidge	Newschafer	Townsend
Blake	Demarest	Hughes	Nixon	Treadway
Blanchfield	de Peyster	Kelly	Pearsall	Van Gorder
Blumenthal	Dinkelspiel	Kimball	Rhodes	Walters
Brown	Dunham	Lane	Roesch	Whipple
Bush, G. H.	Dunlap	Larmon	Saunders	Yates
Bush, R. P.	Edwards	Le Roy	Savery	Yetman
Carson	Fish	Little	Schaaff	Youngman
Cheney	Fitts	Loder		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Nixon moved that this House do now go into the order of reports of standing committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

The Senate bill (Rec. No. 332) entitled "An act to authorize and enable the legal representatives and trustees appointed by or under the will of Sarah M. Donaldson, deceased, to convey and release to Patrick Mullin all the estate now held in trust for him by them in certain real property situated in the city of New York," was read the third time,

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Hitt	McLaughlin	Sheehan
Ainsworth	Cronin	Hughes	Mead	Sheldon
Andrus	Curtis	Kimball	Miley	Smith, C.
Baker, A. B.	Davidson	Lane	Moody	Smith, T.
Barton	Decker	Larmon	Newschafer	Sperry
Bauer	Demarest	Le Roy	Nixon	Stevens
Blake	Dinkelspiel	Lewis	O'Neil	Strassburg
Blanchfield	Dunham	Little	Pearsall	Sullivan
Blumenthal	Dunlap	Longley	Rhodes	Treadway
Brownell	Edwards	Martin	Rice	Upson
Carson	Fish	Maynard	Roesch	Van Gorder
Cheney	Fitts	McAdam	Ryan	Walters
Clarke, C. C.	Flaherty	McCann	Saunders	Whipple
Comstock	Gibbs	McCarren	Savery	Yetman
Connelly	Haffner	McKenzie	Schaaff	Youngman
Coon	Hagan			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 497) entitled "An act to amend chapter 461 of the Laws of 1877, entitled 'An act to confer the powers of harbor masters on the police patrolmen detailed to certain docks and piers in said city by the board of commissioners of the police and excise of the city of Brooklyn, as amended by chapter 151 of the Laws of 1880, as amended by chapter 142 of the Laws of 1885'" (Rec. No. 334), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Clarke, C. C.	Flaherty	Loder	Savery
Adams	Comstock	Gibbs	Longley	Saxton
Ainsworth	Connolly	Guenther	Maynard	Schaaft
Andrus	Cottrell	Haffner	McCarren	Sheehan
Aspinall	Cronin	Hagan	McKenzie	Sheldon
Baker, A. B.	Curtis	Haggerty	Mead	Smith, T.
Baker, A. H.	Dante	Hitt	Miley	Sperry
Barton	Decker	Hornidge	Moody	Strassburg
Bauer	de Peyster	Hughes	Newschafer	Tefft
Blanchfield	Dinkelspiel	Husted	O'Neil	Treadway
Blumenthal	Donaldson	Kelly	Pearsall	Upson
Brown	Dunham	Kent	Peck	Walters
Bush, G. H.	Dunlap	Kerrigan	Rhodes	Whipple
Bush, R. P.	Edwards	Kimball	Roesch	Yetman
Carson	Fish	Lane	Saunders	Youngman
Cheney	Fitts	Little		

For the negative,

Crosby

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the following entitled bill:

"An act relative to consents to and percentages to be paid by street surface railroad companies" (Rec. No. 374), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Speaker, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 76 }
{ NOES 15 }

Those who voted in the affirmative, were

Acker	Dante	Haggerty	Maynard	Sheldon
Adams	Davidson	Hitt	McAdam	Smith, M. A.
Ainsworth	Decker	Hornidge	McCann	Stevens
Baker, A. B.	de Peyster	Hughes	McCarren	Strassburg
Baker, A. H.	Dinehart	Husted	McKenzie	Sullivan
Barton	Dinkelspiel	Kelly	Mead	Tefft
Bauer	Donaldson	Kent	Mesick	Towne
Brown	Dunlap	Kerrigan	Moody	Townsend
Brownell	Enz	Kimball	Mullaney	Treadway
Carson	Fitts	Lane	Newschafer	Van Gorder
Clark, J.	Flaherty	Larmon	Nixon	Walters
Comstock	Gibbs	Le Roy	Pearsall	Whipple

Coon	Groat	Little	Rhodes	Yates
Cottrell	Guenther	Longley	Ryan	Youngman
Cronin	Hagan	Mase	Savery	Speaker
Curtis				

Those who voted in the negative, were

Aspinall	Blumenthal	Crosby	Haffner	Schaaff
Blake	Bush, G. H.	Duffy	Hamilton	Smith, T.
Blanchfield	Connelly	Endres	King	Sperry

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

A message from the Senate was received and read, in the words following:

To the Legislature:

The undersigned, appointed by the Senate and Assembly as a committee of conference relative to the matters of difference arising between the two Houses upon the Assembly bill (No. 1163), entitled "An act to amend title 2 of chapter 3 of part 4 of the Revised Statutes, relating to State prisons," report that they have duly conferred upon said matters, and agreed to report as follows:

(Reference in all cases to the printed Assembly bill, No. 1163.)

That the Assembly do concur in all the amendments to the bill which were adopted in the Senate, and recommend that there be inserted after line 931 the following:

"Provided that not more than one hundred prisoners shall be employed in all the prisons of the State in the manufacture of stoves and iron hollow-ware, and that not more than one hundred prisoners shall be employed in all the prisons of the State in the manufacture of tools and shoes; and, provided further, that no prisoners shall be employed upon any one of said specified industries, in any of the penitentiaries, reformatories or houses of correction in the State, except in making articles for the use of the public institutions of the State."

And your committee further report that they have agreed to recommend that the two Houses do concur in an amendment to the title of said bill, so that the same shall read as follows:

"An act to amend title 2 of chapter 3 of part 4 of the Revised Statutes, relating to State prisons, and for other purposes connected therewith."

All of which is respectfully submitted.

ALBANY, May 13, 1889.

J. S. FASSETT,
JOHN J. LINSON.
Senate Committee.

AUSTIN A. YATES,
J. W. HUSTED,
ERNEST H. CROSBY,
R. P. BUSH,
GEO. W. GREENE.
Assembly Committee.

IN SENATE, May 13, 1889.

Report of committee of conference agreed to.

By order.

JOHN S. KENYON, *Clerk.*

Mr. Speaker put the question whether the House would agree to the report of the committee of conference, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 14 }

Those who voted in the affirmative, were

Acker	Coon	Gallup	Larmon	Smith, C.
Adams	Cottrell	Greene	Lewis	Smith, M. A.
Ainsworth	Cronin	Groat	Little	Sperry
Andrus	Curtis	Guenther	Martin	Stevens
Aspinall	Dante	Haffner	Mase	Strassburg
Baker, A. B.	Decker	Hagan	McAdam	Tefft
Baker, A. H.	Demarest	Haggerty	McKenzie	Towne
Barton	de Peyster	Hamilton	Mesick	Townsend
Blumenthal	Dinehart	Harwood	Moffitt	Treadway
Brown	Dinkelspiel	Hayes	Moody	Upson
Bush, G. H.	Donaldson	Hitt	Mullaney	Van Gorder
Bush, R. P.	Duffy	Hornidge	Pearsall	Walters
Carson	Dunlap	Husted	Saunders	Whipple
Clark, J.	Enz	Kent	Savery	Yates
Comstock	Fish	Kimball	Saxton	Yetman
Connellly	Fitts	King	Sheldon	Young

Those who voted in the negative, were

Bauer	Graham	McCann	Murray	Ryan
Blanchfield	Kelly	McCarren	O'Neil	Schaaff
Endres	Kerrigan	McLaughlin	Roesch	

Ordered That the Clerk return said bill to the Senate, with a message that the Assembly have agreed to the report of the committee of conference thereon.

A message from the Senate was received and read in the words following:

To the Legislature :

The undersigned appointed by the Senate and Assembly as a committee of conference relative to the matters of difference arising between the two Houses upon the Assembly bill (No. 1027) entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations," report that they have duly conferred upon said matters, and agreed to recommend as follows:

(Reference in all cases to engrossed bill.)

That the Assembly do concur in the following amendments to the bill as they were adopted by the Senate:

Page 2, line 3, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 9, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 16, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 20, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 22, strike out the words "one thousand eight" and insert the word "eighteen."

Page 3, line 10, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 10, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, after line 18, insert the following:

"For deficiency in appropriations for assessments and other expenses of the public lands for the fiscal year ending September thirtieth, eighteen hundred and eighty-nine, one thousand dollars, or so much thereof as may be necessary.

"For the Comptroller, for the repayment of moneys illegally assessed, and by manufacturing corporations paid into the treasury under the provisions of chapter five hundred and forty-two of the Laws of eighteen hundred and eighty, and the acts amendatory thereof, the sum of five thousand dollars, or so much thereof as may be necessary."

Same page, line 35, strike out the words "in the year one thousand eight," and insert the words "pursuant to resolution of the Assembly, passed January twenty-fourth, eighteen."

Page 4, line 1, after the word "of," insert the words "bills to be audited by him for the services of."

Same page, line 4, strike out the words "as per," and insert the words "pursuant to,"

Same page, lines 5 and 6, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, after line 7, insert the following:

"For the Comptroller, for the payment of bills to be audited by him for services and disbursements of William S. Carpenter as stenographer to the special committee of the Senate appointed under resolution of the Senate passed April eleventh, eighteen hundred and eighty-eight, to investigate certain alleged abuses in the city of New York, the sum of three thousand nine hundred and sixty-eight dollars and forty cents, or so much thereof as may be necessary payable to the assignee of said Carpenter.

"For the Comptroller, for the payment of bills to be audited by him for the services of William Loeb, Jr., as stenographer to the Senate committee on finance in preparation of its report in regard to obstructions in the Hudson river, the sum of thirty-seven dollars."

Same page, line 9, strike out the word "section" and insert the words "sections three hundred and twenty-two and."

Same page, line 11, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 15, before the word "prison" insert the word "State," and change the word "prisons" to "prison," and "asylums" to "asylum."

Same page, line 16, after the word "penitentiaries" insert the words "State industrial school."

Same page, after line 17, insert the following:

"For reimbursing the county of Monroe for amount refunded by it,

upon the order of the Supreme Court of this State, to counties in the seventh judicial district, which had been paid by said counties for maintenance of tramps in the Monroe county penitentiary, the sum of one thousand dollars, or so much thereof as may be necessary.

"For deficiency in appropriations for the maintenance of convicts sentenced to penitentiaries in pursuance of chapter one hundred and fifty-eight of the Laws of eighteen hundred and fifty-six, chapter five hundred and eighty-four of the Laws of eighteen hundred and sixty-five, chapter six hundred and sixty-seven of the Laws of eighteen hundred and sixty-six, chapter five hundred and seventy-four of the Laws of eighteen hundred and sixty-nine, chapter two hundred and forty-seven of the Laws of eighteen hundred and seventy-four, chapter five hundred and seventy-one of the Laws of eighteen hundred and seventy-five, and chapter four hundred and ninety of the Laws of eighteen hundred and eighty-five, ten thousand dollars, or so much thereof as may be necessary.

Same page, after line 22, insert the following:

"For the Commissioner of the New Capitol, for salary to the close of the current fiscal year, the sum of seven thousand five hundred dollars."

Same page, line 25, strike out the word "Stafford" and insert the word "Stanford."

Same page, line 27, after the word "staircase" insert the words "pursuant to resolution of the Assembly, passed January twenty-two, eighteen hundred and eighty-nine."

Same page, line 33, strike out the word "July" and insert the word "January."

Same page, lines 33 and 34, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, lines 34 and 36, strike out the words "which sum is in full for all such service."

Page 5, line 2, strike out the words "to pay" and insert the words "for services and disbursements of."

Same page, line 2, strike out the words "for attorney's services and expenses" and insert the words "as attorney."

Same page, line 5, strike out the words "in the year one thousand eight" and insert the words "pursuant to resolution of the Senate, passed April twentieth, eighteen."

Same page, line 6, strike out the words "and seventy-two."

Same page, after line 6, insert the following:

"For the Comptroller, for the payment of bills to be audited by him, for expenses incurred by the Senate committee on public health of eighteen hundred and eighty-six, for fees of counsel in the investigation of charges against the State Dairy Commissioner, pursuant to resolution of the Senate, passed April twentieth, eighteen hundred and eighty-six, the sum of six hundred and twenty dollars, or so much thereof as may be necessary."

Same page, line 8, strike out the word "assist."

Same page, lines 11 and 12, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 12, strike out the word "two" and insert the word "three."

Same page, line 17, after the word "deputies" insert the words "pursuant to Senate resolution, March thirtieth, eighteen hundred and eighty-eight."

Same page, lines 27 and 28, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 34, after the word "committee" insert the word "appointed."

Same page, line 36, after the word "strike" insert the words "pursuant to resolution passed January twenty-fourth, eighteen hundred and eighty-seven."

Page 6, after line 2, insert the following:

"For the Comptroller, for the payment of bills to be audited by him, for services and disbursement of Julien T. Davies as counsel to the Senate committee on taxation and retrenchment, in revising the compilation of constitutional provisions, statutes and cases relating to the assessment of taxes, and in adding thereto abstracts of cases cited, pursuant to resolution of the Senate, passed February third, eighteen hundred and eighty-eight, the sum of seven thousand dollars, or so much thereof as may be necessary.

"For the Comptroller, for the payment of bills to be audited by him, for services and disbursements of George Bliss as counsel to the committee of the Senate on general laws in its investigation of trusts, from February twentieth to December thirteenth, eighteen hundred and eighty-eight, pursuant to resolution of the Senate, passed February sixteenth and February twenty-ninth, eighteen hundred and eighty-eight, the sum of four thousand and thirty-one dollars and seventy-nine cents, or so much thereof as may be necessary.

"For the Comptroller, for the payment of bills to be audited by him, for balance due for services and disbursements of Roger A. Pryor as counsel to the committee of the Senate on general laws in its investigation of trusts, pursuant to resolution of the Senate, passed February sixteenth and February twenty-ninth, eighteen hundred and eighty-eight, the sum of one thousand dollars, or so much thereof as may be necessary.

"For the Comptroller, for the payment of bills to be audited by him, for the services and disbursements of Roger A. Pryor, as counsel for the Attorney-General in a suit in which the people of the State of New York were plaintiffs and the North River Sugar Refinery Company was defendant, the sum of thirty-five hundred and twenty-five dollars, or so much thereof as may be necessary.

"For the Comptroller, for the payment of bills to be audited by him, for the services and disbursements of Benjamin F. Tracy, A. B. Boardman and Delancey Nicoll, as counsel to the special committee of the Senate appointed pursuant to resolution of the Senate, passed April eleventh, eighteen hundred and eighty-eight, to investigate the public service in the city of New York and other matters mentioned in the preamble to such resolution, the sum of twenty-seven thousand three hundred and forty-two dollars and ten cents; for the services of Donald Downie and D. Moynahan, as stenographers to said committee, the sum of five hundred and eight dollars and fifty cents; for services and expenses of Henry M. Tate and William J. Best, employed by said committee as experts, six thousand and eighty-two

dollars and thirteen cents, and for the traveling and incidental expenses and disbursements of said committee, two thousand five hundred dollars.

"For the Comptroller, for the payment of bills to be audited by him, for printing, by order of the Senate committee on railroads of eighteen hundred and eighty-six, four thousand copies of the report of said committee appointed by resolution of the Senate, January twenty-seventh, eighteen hundred and eighty-six, to investigate the affairs of the Broadway surface railroad, the sum of six hundred and seventy-eight dollars and fifty cents.

"For the Comptroller, for balance of payment for services and disbursements of the stenographer to the referee appointed by the Governor to investigate the charges against the excise commissioners of the city of New York, in eighteen hundred and eighty-six, the sum of two hundred and nineteen dollars, or as much thereof as may be necessary.

Same page, line 7, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, lines 8 and 9, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 10, after the word "dollars" insert the words "and forty-six cents."

Same page, after line 11, insert the following:

"For the Commissioners of the Land Office for maps, to be made under the direction of the State Engineer and Surveyor, showing the State lands in the Onondaga Salt Springs Reservation, heretofore patented or now owned by the State, with the lots, blocks and subdivisions of the lands in said reservation, twelve hundred dollars, or so much thereof as may be necessary.

Page 7, line 1, strike out the words "for the superintendent of."

Same page, line 5 and 6, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, strike out line 8 to 13, both inclusive.

Same page, line 20, strike out the words "last year" and insert the words "by chapter two hundred and seventy of the laws of eighteen hundred and eighty-eight."

Same page, line 21, after the word "dollars" add the following:

"But no part of this appropriation, except for necessary inspection and engineering shall be expended until a contract shall have been executed with sufficient sureties by the lowest responsible bidder or bidders, after suitable advertisement for the completion of the work as contemplated within the limits of this appropriation and that made therefor in said chapter two hundred and seventy."

Same page, line 24, strike out the words "is hereby appropriated," and add at the end of item the following:

"But no part of this appropriation, except for necessary inspection and engineering shall be expended until a contract shall have been executive, with sufficient sureties, by the lowest responsible bidder or bidders, after suitable advertisement for the completion of the work as contemplated within the limits of this appropriation and that made therefor in chapter four hundred and thirty-four of the laws of eighteen hundred and eighty-eight."

Page 8, make a separate paragraph of the item from and including

the word "For" in line 3, down to and including line 6, and strike out the letter "h" in the word "Alleghany" in line 4.

Same page, line 14, strike out the words "purpose of" and insert the words "Superintendent of Public Works for."

Same page, line 20, after the word "dollars" insert the words "But no part of this appropriation, except for necessary inspection and engineering, shall be expended until a contract shall have been executed, with sufficient sureties, by the lowest responsible bidder or bidders, after suitable advertisement, for the completion of the work as contemplated, within the limits of this appropriation."

Same page, line 21, after the word "For" insert the words "the Superintendent of Public Works for."

Same page, line 23, after the word "dollars" add the following: "But no part of this appropriation, except for necessary inspection and engineering, shall be expended until a contract shall have been executed, with sufficient sureties, by the lowest responsible bidder or bidders, after suitable advertisement, for the completion of the work as contemplated, within the limits of this appropriation."

Same page, line 24, after the word "For" insert the words "the Superintendent of Public Works for."

Same page, after line 29, insert the following:

"For the Superintendent of Public Works, for completing and increasing the capacity of Stillwater reservoir on Beaver river, constructed pursuant to chapter three hundred and thirty-six of the Laws of eighteen hundred and eighty-one, chapter three hundred and sixty-two of the Laws of eighteen hundred and eighty-two, chapter five hundred and fifty-one of the Laws of eighteen hundred and eighty-four, and chapter three hundred and thirty of the Laws of eighteen hundred and eighty-six, by raising the dam not less than eight feet, in accordance with the recommendation of the State Engineer and Surveyor, as contained in Senate document No. 29 of eighteen hundred and eighty-nine, so as to restore, as far as practicable, to the Black river, the amount of water diverted from it for the use of the State canals, the sum of twenty-five thousand dollars, or so much thereof as may be necessary; the work to be done under the direction of the Superintendent of Public Works, according to plans and specifications prepared or to be prepared by the State Engineer and Surveyor.

"For raising and widening the abutments of the State bridge over the Erie canal in the city of Syracuse where the canal crosses West Genesee street, the sum of fifteen hundred dollars, or so much thereof as may be necessary."

Same page, strike out lines 30 to 36, both inclusive, and insert the following:

"For the Superintendent of Public Works, for completing work in dredging Crooked Lake outlet, authorized by chapter two hundred and thirty-four of the Laws of eighteen hundred and eighty-seven, and chapters two hundred and six and three hundred and eighty-nine of the Laws of eighteen hundred and eighty-eight, the sum of nine hundred and thirty dollars, or so much thereof as may be necessary.

"For the Superintendent of Public Works, for deficiency in appro-

priation for exchanging the iron highway bridge crossing the outlet of Crooked lake in the village of Penn Yan, for another iron bridge to span the entire outlet, authorized by chapter three hundred and eighty-nine of the Laws of eighteen hundred and eighty-eight, four hundred and eighty-two dollars."

Page 9, line 10, strike out the words "as per" and insert the words "in accordance with."

Same page, line 18, strike out the words "as per," and insert the words "in accordance with."

Same page, line 20, strike out the word "and" and make a separate paragraph of the item from and including the word "for," in line 20, down to and including line 23.

Same page, after line 23, insert the following:

"For the Superintendent of Public Works, for constructing and repairing the road crossings on the abandoned Oneida lake canal, the sum of twelve hundred dollars, or so much thereof as may be necessary.

Same page, line 28, after the word "dollars" insert the words "to be expended under the direction of the Superintendent of State Prisons."

Same page, line 30, strike out the words "for lighting the same."

Same page, lines 31 and 32, strike out the words "both above items."

Same page, lines 32 and 33, strike out the words "by the agent and warden of Auburn prison."

Page 10, line 1, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 3, change the word "render" to "rendered."

Same page, line 6, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 11, strike out the word "insane."

Same page, line 13, strike out the word "expenditures" and insert the word "appropriations."

Same page, line 18, after the word "insane" insert the words "to be expended under the direction of the local board of managers."

Same page, line 31, make separate paragraph of the item beginning with the word "for" down to and including end of item.

Same page, line 35, after the word "plans" insert the word "and."

Same page, line 36, strike out the word "work" and insert the word "same."

Page 11, line 1, strike out the words "and the purchase of materials."

Same page, line 2, strike out the word "the" and insert the word "this."

Same page, line 3, after the word "insane" insert the words "to be expended under the direction of the local board of managers."

Same page, line 6, after the word "fixtures" insert the words "for electric lighting," and strike out the words "twenty thousand dollars" and insert the words "twenty-seven thousand two hundred and seventeen dollars and forty-eight cents."

Same page, line 8, before the word "pulleys" insert the word "with."

Same page, line 9, change "bakery" to "baker."

Same page, lines 10 and 11, strike out the word "completing" and insert the words "work on front."

Same page, line 14, strike out the word "two" and insert the word "three."

Same page, line 16, strike out the letter "a" and change "bill" to "bills."

Same page, line 19, after the word "asylum" insert the words "for the insane, at Middletown."

Same page, line 27, strike out the word "Otis."

Same page, line 8, after the word "dollars" insert the word "and."

Same page, line 3, strike out the words "New York" and insert after the word "idiots" the words "to be expended under the direction of the local board of managers."

Page 12, line 11, after the word "dollars" add the following:

"To be expended under the direction of the local board of managers, upon the execution of a contract, with sufficient sureties, by the lowest responsible bidder or bidders, after suitable advertisement for the completion of the work and the purchase of materials, as contemplated within the limits of this appropriation."

Same page, line 17, after the word "dollars" insert the word "and."

Same page, lines 31 and 32, strike out the words "for managers' expenses, two thousand dollars."

Same page, line 36, after the word "buildings" insert the words "for the accommodation of fifteen hundred patients."

Page 13, line 1, strike out the word "price" and insert the word "cost," and strike out the word "the" (second occurring).

Same page, lines 1 and 2, strike out the words "connected with said asylum grounds."

Same page, lines 3 and 4, strike out the words "are sufficient for the accommodation of one thousand five hundred patients and."

Same page, line 8, after the word "capita" add the words "and for managers' expenses, two thousand dollars."

Page 14, line 1, before the word "asylum" insert the word "State."

Same page, line 2, strike out the words "board of managers" and insert the words "commissioners appointed by chapter one hundred and ninety-two of the Laws of eighteen hundred and eighty-six."

Same page, line 5, strike out the word "brick."

Same page, line 8, after the word "dollars" insert the following:

"But no part of this appropriation shall be expended unless in the opinion of the chairman of said commissioners, to be filed in the office of the Comptroller, the materials can be purchased, and the work can and will be completed as contemplated, within the limits of this appropriation."

Same page, line 9, after the word "insane" insert the words "to be expended under the direction of the local board of managers."

Same page, line 13, after the word "dollars" insert the word "and."

Same page, line 19, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 21, after the word "dollars" insert the following:

"But no part of this appropriation shall be expended except for necessary inspection and engineering until a contract shall have been executed, with sufficient sureties, by the lowest responsible bidder or

bidders after suitable advertisement, for the completion of the work, and the purchase of the materials as contemplated, within the limits of this appropriation."

Same page, line 24, after the word "in" insert the words "appropriation for."

Same page, line 36, after the word "dollars" insert the following:

"But no part of the said forty-seven thousand dollars shall be expended until a contract shall have been executed with sufficient sureties, by the lowest responsible bidder or bidders, after suitable advertisement, for the completion of the work, and the purchase of the materials as contemplated, within the limits of this appropriation."

Page 15, lines 2 and 3, strike out the words "for electric wiring of detached group number one."

Same page, line 10, strike out the words "to be" and insert the words "the same shall be done."

Same page, line 14, before the word "State" insert the word "Buffalo," and strike out the words "at Buffalo" and insert the words "to be expended under the direction of the local board of managers."

Same page, line 17, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 34, strike out the words "New York."

Page 16, after line 1, insert the following:

"For deficiency in appropriation for the State reformatory at Elmira, for maintenance and ordinary repairs, and for the purchase of material, and for the expenses of manufacturing, to the close of the current fiscal year, the sum of fifty thousand dollars."

Same page, line 3, after the word "sewerage" insert the words "upon plans to be approved by the State Engineer and Surveyor."

Same page, after line 3, insert the following:

"For the House of Refuge for Women, at Hudson, to be expended under the direction of the local board of managers, for the erection of an additional building for refractory prisoners, for school-rooms, laundry and sewing-room, in accordance with plans and specifications and estimate prepared by the Commissioner of the New Capitol, the sum of twenty-six thousand dollars; for construction of area walls around administration building and cottages, upon like plans, specifications and estimates, the sum of four thousand dollars; and for purchase of school furniture, books and apparatus, the sum of one thousand dollars."

"For the State Asylum for Insane Criminals, for the purchase of farm stock and implements, for fruit trees, repairs to farm-house, fencing, grading, drainage and other farm improvements on the land purchased for the use of the State Asylum for Insane Criminals at Matteawan, the sum of ten thousand dollars, to be expended under the direction of the Superintendent of State Prisons."

Same page, line 4, before the word "session" insert the word "the."

Same page, line 5, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 6, strike out the word "their" and insert the word "the."

Same page, line 8, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, after line 11, insert the words "for the maintenance of

the State Agency for Discharged Convicts, pursuant to chapter four hundred and twenty-four of the Laws of eighteen hundred and seventy-seven, five thousand dollars; and for the State agent, for salary, two thousand five hundred dollars."

Same page, after line 24, insert the words "but no part of this appropriation shall be expended until the Comptroller shall certify in writing to be filed in his office that the price agreed upon for said land is reasonable, and that the purchase and all contemplated improvements of said land will not cost more than the sum herein appropriated."

Same page, line 2, after the word "soldiers" insert the word "sailors."

Same page, after line 29 insert the following:

"But no part of this appropriation shall be expended until a contract shall have been executed, with sufficient sureties, by the lowest responsible bidder or bidders, after suitable advertisement, for the completion of the work and the purchase of the materials, as contemplated, within the limits of this appropriation."

"For iron pipe, hydrants, hose, two stone reservoirs and necessary grading for water supply at Clinton Prison the sum of fifteen hundred dollars or so much thereof as may be necessary, to be expended under the direction of the State Engineer and Surveyor and to be certified by the Superintendent of State Prisons.

"The balance remaining in the treasury unexpended of the sum of twenty thousand dollars, appropriated by chapter four hundred and sixty of the Laws of eighteen hundred and eighty-seven, for completing the wall along a portion of the bounds of the inclosure of the yard at Clinton Prison, being the sum of three thousand nine hundred and one dollars, is hereby reappropriated for the same purpose.

"For supplying the Deaf-Mutes' Journal to the indigent deaf and dumb persons in this State, the sum of six hundred and fifty dollars."

Same page, line 35, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 36, strike out the words "necessarily incurred in" and insert the word "of," and after the word "surveying" insert the words "and monumenting."

Page 17, line 1, after the word "dollars" insert the word "and."

Same page, line 5, strike out the word "contingent," and insert the word "and" before the word "for."

Same page, line 8, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, lines 12 and 13, strike out the words "one thousand eight" and insert the words "eighteen."

Same page, lines 13 and 14, strike out the words "seventy-five" and insert the word "fifty."

Same page, line 18, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 20, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 24, strike out the words "one thousand eight" and insert the word "eighteen."

Page 18, line 14, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 19, strike out the words "and audited by the Comptroller, of Joseph Metz."

Same page, line 20, strike out the words "done" and "materials furnished in" and insert the words "materials for."

Same page, line 24, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 26, strike out all after the word "necessary" down to and including line 30, and insert the words "the bills therefor to be audited by the Adjutant-General."

Page 19, after line 3, insert the following:

"For the library of the Court of Appeals at Rochester, for the purchase of books, to be paid on bills therefor, certified by a majority of the justices of the Supreme Court in the Seventh judicial district, one thousand dollars.

"For the purchase of books for the State law library at Syracuse, to be paid on bills therefor certified by a majority of the justices of the Supreme Court in the Fifth judicial district, one thousand dollars."

Same page, strike out lines 4 and 5 and insert the following :

"For a law library of the judges of the Court of Appeals, for the purchase of law books, five hundred dollars, to be paid on bills therefor, certified by the judge having such library in charge."

Same page, line 6, after the word "Newburgh" insert the words "in the Second judicial district."

Same page, after line 6, insert the following:

"For the preparation, printing and binding of five hundred copies of the reports of the decisions of the Commissioners of Claims since the organization of the board to the present time, in one volume, under the direction of the clerk of said commissioners, the sum of two thousand dollars, or so much thereof as may be necessary; said report shall be prepared in form like that of the reports of decisions of the Supreme Court of this State, and shall be distributed as follows, viz.: Two copies to each member of the Legislature, one copy to each State department, one copy to each of the Commissioners of Claims and judges of the Court of Appeals, two copies to each legislative library, and to each judicial district library, one copy to each of the libraries of the Court of Appeals, two copies to the library of the Commissioners of Claims, one hundred copies to the trustees of the State library for exchanges, and the remainder in the discretion of the clerk of said commissioners."

Same page, line 19, after the word "dollars" insert the words "and the State Engineer and Surveyor is hereby authorized to make such surveys and maps, and to set such monuments as may be requested of him by the said commissioners."

Same page, line 21, after the word "in" insert the words "appropriations for."

Same page, line 22, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 28, strike out the word "for" and insert the word "in."

Same page, line 29, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 30, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 35, strike out the words "appointing and."

Page 20, lines 7 and 8, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 13, strike out the words "the order for the purchase thereof to be approved by the Comptroller."

Same page, after line 14, insert the following:

"For furnishing for the use of the Assembly committee on the judiciary eleven copies each of the Penal Code, the Criminal Code and Code of Civil Procedure; one set of Revised Statutes, last edition; two copies of the Rules of Practice, and one set of the Table of Statutes of this State prepared by Clarence F. Birdseye, pursuant to resolution of the Assembly, passed January thirty-first, eighteen hundred and eighty-nine, one hundred and sixty-one dollars.

"For furnishing to the Senate library, two sets Revised Statutes, five volumes New York Reports, one copy Abbott's New York Digest for eighteen hundred and eighty-eight, nine copies Throop's Civil Code and nine copies Criminal and Penal Code, pursuant to resolution of the Senate, passed January twenty-fifth, eighteen hundred and eighty-nine, the sum of one hundred and seventy-eight dollars and fifty cents.

"For the Clerk of the Senate, to pay for services of the superintendent designated by him to have charge of the wrapping department of the Senate, pursuant to resolutions of the Senate, passed March twenty-ninth, eighteen hundred and eighty-eight, and January seventeenth, eighteen hundred and eighty-nine, the sum of seven hundred and fifty dollars, or so much thereof as may be necessary.

"For printing five thousand extra copies of the report of the annual meeting of the New York State Dairyman's Association, as provided by resolution of the Assembly, passed March twenty-eighth, eighteen hundred and eighty-nine, the sum of thirteen hundred dollars, or so much thereof as may be necessary, to be paid by the Comptroller upon the certificates of the secretary of said association."

Same page, line 15, before the word "State" insert the word "the."

Same page, line 19, strike out the word "four" and insert the word "six."

Same page, lines 22 and 23, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 26, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, after line 27, insert the following:

"The balance remaining in the treasury of the sum of twenty thousand dollars, appropriated by chapter two hundred and sixty-eight of the Laws of eighteen hundred and eighty-seven, for the purpose of carrying out the provisions of chapter one hundred and thirty-four of the Laws of eighteen hundred and seventy-eight, and of chapter four hundred and eighteen of the Laws of eighteen hundred and eighty-four, entitled respectively, 'An act in relation to infectious and contagious diseases of animals,' being the sum of sixteen thousand

five hundred and sixty dollars and eighty-five cents, is hereby reappropriated for the same purpose."

Same page, lines 29 and 30, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 31, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, lines 35 and 36, strike out the words "one thousand eight" and insert the word "eighteen."

Page 21, lines 8 and 9, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 21, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 27, strike out the word "fifty-two" and insert the word "forty-seven."

Same page, line 28, strike out the word "experimental" and insert the word "experiment."

Same page, lines 28 and 29, strike out the words "deficiency in maintenance" and insert the words "reimbursing the maintenance fund for moneys expended in repairing buildings, and making other necessary improvements."

Same page, lines 30 and 31, strike out the words "for contingent fund, general improvements and betterments, twenty thousand dollars" and insert the words "and for bulletins, services of an herdsman and assistant, poultryman and clerical assistant, library, farm and scientific implements, farm improvements, microscopical and clerical division, manure platform, poultry-house division and piggery, the sum of ten thousand eight hundred and sixty dollars."

Same page, line 36, strike out the words "one thousand eight" and insert the word "eighteen."

Page 22, line 3, strike out the words "the house of refuge on Randall's island," and insert the words "the Society for the Reformation of Juvenile Delinquents in the city of New York, having charge of the house of refuge on Randall's island."

Same page, line 4, after the word "in" insert the words "appropriations for."

Same page, lines 5 and 6, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 11, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 19, strike out the words "two thousand" and insert the words "nine hundred and forty-six," and after the word "dollars" insert the words "and eighty-nine cents, and the sum of ten hundred and fifty-three dollars and eleven cents, being the balance remaining in the treasury unexpended of the sum of five thousand dollars appropriated by chapter five hundred and sixty-two of the Laws of eighteen hundred and eighty-seven, for the purpose of breeding deer and wild game, is hereby reappropriated for the same purpose."

Same page, line 17, strike out the word "in" and insert the word "for."

Same page, after line 19, insert the following:

"For furniture, books, blanks, printing calendar, and other neces-

sary expenses of the office of the clerk of the Court of Appeals, required by the creation of the second division of the Court of Appeals, fifteen hundred dollars."

Same page, line 22, strike out the word "twenty" and insert the word "ten."

Same page, after line 23, insert the following:

"For the trustees of the State library, for the purchase of books and for binding, lettering and marking books for the library, during the current fiscal year, in addition to the sums appropriated therefor by chapter two hundred and sixty-nine of the Laws of eighteen hundred and eighty-eight, the sum of four thousand dollars."

Same page, line 26, strike out the words "one thousand eight" and insert the word "eighteen."

Page 23, lines 7 and 8, strike out the words "burning of the."

Same page, line 10, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 12, after the word "necessary" insert the word "but."

Same page, lines 13 and 14, strike out the words "to any person."

Same page, line 15, strike out the word "superintendent" and insert the word "president."

Same page, line 16, strike out the word "clothing" and insert the word "apparel."

Page 24, strike out lines 6 to 18, both inclusive.

Same page, line 27, strike out the word "needed" and insert the word "necessary," and after line 27 insert the words "and for additions to the present building, to provide new school-rooms, work-rooms, chapel and boiler-house, for raising present chapel roof for second story and dividing same into school-rooms and for additional heating and ventilation, forty-nine thousand dollars, or so much thereof as may be necessary, all to be expended by the local board of managers of said school after plans and specifications and a contract executed with proper sureties for the completion of the same within the sums herein appropriated, shall have been approved by the said local board of managers, by the Superintendent of Public Instruction and by the Comptroller."

Same page, line 35, after the word "cents" insert the word "and."

Page 25, line 1, after the word "hundred" insert the word "and."

Same page, lines 3 and 4, strike out the words "to be expended under the direction of the local board of managers."

Same page, line 4, strike out the word "general" and insert the word "maintenance," and before the word "damages" insert the words "expense of."

Same page, line 5, after the word "dollars" insert the word "and."

Same page, line 10, after the word "and," first occurring, insert the word "for;" after the word "thousand" insert the words "six hundred and seventeen," and after the word "dollars" insert the words "The board of managers of said school is hereby authorized to expend, for the above-mentioned purposes, the balance of the sum of forty thousand dollars appropriated in chapter two hundred and seventy of the Laws of eighteen hundred and eighty-eight, for the erection of an additional building for the use of said school, remaining in

the treasury unexpended, being the sum of five hundred and twenty-two dollars."

"For the State normal and training school, at Geneseo, for painting outside wood-work, for new floors, for repairs to laboratory, for extending water pipes, and for grading and sodding, the sum of one thousand eight hundred and fifty dollars.

"For the State normal and training school, at Oswego, for interior repairs and painting, the sum of twelve hundred dollars, and for providing necessary implements for carrying out the provisions of chapter three hundred and thirty-four of the Laws of eighteen hundred and eighty-eight, the sum of twelve hundred dollars.

"For the State normal and training school, at Brockport, to be expended by the local board of managers, for ventilation, furniture, grading and fencing grounds, stone walks, outbuilding, and for repairs of old building, the sum of twelve thousand dollars, or so much thereof as may be necessary."

Same page, line 17, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 24, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 26, after the word "cents" insert the word "and."

Same page, line 32, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, after line 33, insert the following:

"The concurrent resolution of the Legislature of eighteen hundred and eighty-eight for printing eight hundred and ten copies of the proceedings of the Legislature of eighteen hundred and eighty-seven, and the memorial oration of Honorable Chauncey M. Depew on the death of ex-Governor Reuben E. Fenton, and eight hundred and ten copies of like proceedings and the memorial oration of Honorable B. H. Brewster on the death of ex-President Chester A. Arthur, passed April twenty-fifth, eighteen hundred and eighty-eight; and the concurrent resolutions of the Legislature for printing ten thousand copies of the proceedings of the Legislature of eighteen hundred and eighty-eight and the memorial oration of Colonel Robert G. Ingersoll on the death of ex-Senator Roscoe Conkling, passed January eighteenth, eighteen hundred and eighty-nine, and for printing eighteen hundred and twenty-three copies of the Civil List, to include officers elected or appointed prior to January first, eighteen hundred and eighty-nine, passed March thirteenth, eighteen hundred and eighty-nine, and the necessary binding and engraving therefor, are hereby legalized and confirmed, and they shall have the same force and effect as if the work therein mentioned and ordered had been ordered by acts of the Legislature, and the sum of twelve thousand two hundred and seventy dollars and fifty cents, or so much thereof as may be necessary, is hereby appropriated for paying for such work, upon vouchers therefor to be approved by the Comptroller.

"For payment for printing, binding and lithographing done in pursuance of chapter two hundred and forty of the Laws of eighteen hundred and eighty-five, not already paid for, the sum of four thousand three hundred and eighty-three dollars and forty-two cents."

Page 26, line 1, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, lines 3 and 4, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 6, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 9, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, line 12, strike out the words "one thousand eight" and insert the word "eighteen."

Same page, after line 19, insert the following:

"For the State Normal and Training School at Oneonta, for maintenance for the year ending September thirtieth, eighteen hundred and eighty-nine, the sum of two thousand dollars."

Page 27, line 21, after the word "for," first occurring, insert the word "the," and after the word "in" insert the words "appropriations for."

Same page, line 19, strike out the words "one thousand eight" and insert the word "eighteen."

Page 28, line 8, strike out all after the word "requires" down to and including the word "requires" in line 12.

Your committee further report that they have agreed to recommend that the Assembly do concur in the following items of the bill which were adopted by the Senate after being amended in conference, so as to read as follows:

Page 3, line 18, insert the following (to be inserted on page 3 immediately after item ending on line 19):

"For the Comptroller, to enable him to make restitution to Joel W. Sherwood and Robert J. Miller, as executors of the last will and testament of Hannah Euston, deceased, of the sum of forty thousand and sixty-eight dollars and twenty cents paid by them into the treasury, April twenty-sixth, eighteen hundred and eighty-seven, for collateral inheritance tax, under compulsion of a decree of the surrogate's court of Kings county, dated April twenty-fifth, eighteen hundred and eighty-seven, which decree was reversed on appeal by the Court of Appeals, April sixteenth, eighteen hundred and eighty-nine, and which restitution has been duly ordered by the said surrogate's court, by order dated May third, eighteen hundred and eighty-nine, the sum of forty-five thousand two hundred and fifty dollars, or so much thereof as may be necessary to pay the said sum of forty thousand and sixty-eight dollars and twenty cents, and interest thereon to the date of such restitution, payable only in case the attorney acting for the State and the Attorney-General shall decide not to appeal the case to the Supreme Court of the United States."

Page 4, strike out all on lines 18 to 22, both inclusive, and insert the following:

"For the Comptroller for payment of compensation and expenses of counsel employed by the Comptroller or Attorney-General in legal actions or proceedings, five thousand dollars, or so much thereof as may be necessary."

Page 6, line 2, insert the following immediately after item for Benjamin F. Tracy and others:

"For the Comptroller, for the payment of bills to be audited by him, for services and disbursements of Francis R. Gilbert, as counsel to the committee of the Senate on general laws, in its investigation of trusts, pursuant to resolution of the Senate passed February sixteenth and February twenty-ninth, eighteen hundred and eighty-eight, the sum of one thousand dollars, or so much thereof as may be necessary; and for the traveling and other incidental expenses and disbursements of said committee, two thousand dollars."

And the following, to be inserted immediately after item for payment for printing for committee investigating affairs of the Broadway Surface railroad:

"For the Comptroller, for compensation for services of James K. Apgar, as stenographer to the special committee appointed by resolution of the Assembly passed May eleventh, eighteen hundred and eighty-eight, to prepare a system of rules for the Assembly and to methodize and improve the manner of making laws, the sum of seven hundred and fifty dollars."

And the following, to be inserted immediately after item for payment to stenographer to the referee appointed by the Governor to investigate charges against excise commissioners:

"For the Comptroller, for compensation to Jennie Turner for her services as stenographer to the committee on taxation and retrenchment, in the matter of the investigation of Bloomingdale Asylum, by resolution of the Senate adopted March ninth, eighteen hundred and eighty-eight, five hundred dollars, or so much thereof as may be necessary."

Same page, line 11, insert the following before item for the Commissioners of the Land Office:

"For Hon. Phillip T. Cronin, for legal and other expenses incurred by him in the matter of the contested election for member of Assembly in the Second Assembly District of Queens county, for the year eighteen hundred and eighty-nine, the sum of two thousand five hundred and twenty dollars."

Page 9, line 23, to be inserted immediately after item for repairing road crossings on Oneida Lake canal:

"For the Commissioner of Fisheries, for necessary repairs of the State road from the east line of the town of Forestport, Oneida county, to Woodhull, in Herkimer county, one thousand dollars, or so much thereof as may be necessary; and for necessary repairs of the road from No. 4, in Lewis county, to the Stillwater reservoir, one thousand dollars, or so much thereof as may be necessary."

Page 10, line 17, add the following:

"And for the purchase of two hundred acres of land for said asylum forty-thousand dollars; but no part of the said forty thousand dollars shall be expended until the Comptroller shall certify in writing, to be filed in his office, that the price agreed upon for said land is reasonable."

Page 16, to be inserted immediately after the item for the House of Refuge for Women at Hudson:

"The balance remaining in the treasury unexpended of the sum of sixty thousand dollars appropriated in chapter four hundred and sixty of the Laws of eighteen hundred and eighty-seven, for the House of

Refuge for Women, at Hudson, 'for compensation of officers and employés, for maintenance of the institution, and for transportation of convicts,' to the close of the last fiscal year, being the sum of thirty thousand dollars, is hereby reappropriated for like purposes to the close of the current fiscal year.

Page 18, after line 2, insert the following, immediately after the item for the State Arsenal at Buffalo:

"For painting and repairs of the State armory at Oswego, and grading grounds adjacent thereto, six thousand dollars.

"For painting and repairs of the State armory at Syracuse, five thousand dollars; and for repair and renewal of walks in the park of said armory, fifteen hundred dollars."

Page 18, after line 30, insert the following:

"For the repairs of arsenals and armories belonging to the State, ten thousand dollars, or so much thereof as may be necessary.

Page 20, after line 14, in place of item for services of additional clerk in desk of the Senate, insert the following, immediately after the item for superintendency of the wrapping department:

"For the Clerk of the Senate, for the continuation of the general index of the legislative documents from eighteen hundred and seventy-seven to eighteen hundred and eighty-nine, pursuant to concurrent resolution of the Senate and Assembly, adopted May eleventh, eighteen hundred and eighty-eight, to be paid, on the certificate of the Clerk of the Senate, to the person performing the work, and for the necessary services of additional clerical aid in the desk, the sum of nine hundred dollars; for expenses incurred for the memorial services, and for decorating the desk and chair in the Senate, of the late Hon. Henry R. Low, the sum of one hundred and twenty-three dollars; for clerical services to the Senate committee on general laws for the sessions of eighteen hundred and eighty-eight and eighty-nine the sum of one thousand dollars, and for expenses incurred by the joint committee of the Senate and Assembly appointed in pursuance of the concurrent resolution of the Legislature, passed January fifteenth, eighteen hundred and eighty-nine, in their memorial services in commemoration of General Philip H. Sheridan, the sum of six hundred and one dollars and fifty cents."

Page 21, insert the following, immediately after the item for the Experiment Station at Geneva:

"For the board of electrical control in and for the city of New York, for services and expenses of the commissioners thereof, from the first day of April, eighteen hundred and eighty-nine, to the close of the current fiscal year, the sum of fifteen thousand dollars; and for like services and expenses for the fiscal year ending September thirtieth, eighteen hundred and ninety, the sum of thirty thousand dollars, or so much thereof as may be necessary; and for deficiency in appropriations for like services and expenses to April first, eighteen hundred and eighty-nine, one thousand seven hundred and ninety-six dollars and fifty-nine cents; which amounts, together with such reasonable compensation for services and expenses of clerks in the office of the Comptroller as may be certified by him, not exceeding the sum of two thousand dollars, for the expense of the levy and collection thereof, shall be refunded to the treasury of the State by the several com-

panies operating electrical conductors in said city which are or shall be required to place and operate any of their conductors underground, pursuant to the provisions of chapter four hundred and ninety-nine of the Laws of eighteen hundred and eighty-five, and the acts amendatory thereof, which said companies shall furnish the Comptroller the data and necessary information required to make assessments, pursuant to sections seven and eight of said chapter four hundred and ninety-nine of the Laws of eighteen hundred and eighty-five, as amended, and said commissioners shall furnish to the Comptroller a list of such companies. The assessments of the amounts to be paid for the said board of electrical control shall be made according to law upon the several corporations and companies liable therefor, by the Comptroller, at such time or times, at his office in the city of Albany, as he shall designate, when they may be heard thereon; of which the Comptroller shall give such corporations and companies at least one week's prior notice by sending to each a written or printed copy of such notice in the usual way by mail directed to them at their respective places of business, postage thereon prepaid."

Page 25, insert, immediately after the item for the normal school at New Paltz, the following:

"For the State normal and training school, at Oneonta, for furnishing and painting the assembly hall, school-rooms, offices and parlors, and for plumbing and furnishing the science-room, the sum of thirty-two thousand eight hundred dollars.

"For the State normal and training school at Oneonta, for grading, excavating and preparing grounds and for walks, the sum of fifteen thousand dollars."

Your committee further report that they have agreed to recommend that the Senate do recede from the following amendments to the bill, as adopted by the Senate:

Page 18, strike out lines 8, 9 and 10.

Same page, line 23, after the word "for" insert the words "the Adjutant-General for."

Page 19, line 2, strike out the words "five hundred."

Same page, line 8, strike out the words "fifteen hundred" and insert the words "one thousand."

Page 21, strike out lines 16 to 20, both inclusive.

And your committee further report that they have agreed to recommend that the Senate do recede from its amendment to the following item, and concur in the same after being amended in conference so as to read as follows (to be inserted immediately after item for contingent expenses for Keystone files):

"For the trustees of public buildings, located in Albany, for deficiency in appropriation for the care and maintenance of the public buildings committed to their charge, the sum of eleven thousand dollars."

All of which is respectfully submitted.

ALBANY, May 10, 1889.

GEO. B. SLOAN,
GEO. Z. ERWIN,
THOS. F. GRADY,

Senate Committee.

D. E. AINSWORTH,
J. W. HUSTED,
JNO. B. LONGLEY,
WM. C. STEVENS,
GALEN R. HITT,

Assembly Committee.

IN SENATE, *May 13, 1889.*

Report of committee of conference agreed to.

By order.

JOHN S. KENYON, *Clerk.*

Mr. Speaker put the question whether the House would agree to the report of the committee of conference, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Curtis	Haffner	Martin	Ryan
Ainsworth	Dante	Hagan	Mase	Saunders
Andrus	Davidson	Haggerty	Maynard	Savery
Aspinall	Decker	Harwood	McAdam	Saxton
Baker, A. B.	Demarest	Hayes	McCarren	Schaaff
Baker, A. H.	de Peyster	Hitt	McKenzie	Sheehan
Barton	Dinehart	Hornidge	Mead	Sheldon
Bauer	Dinkelspiel	Hughes	Mesick	Smith, C.
Blake	Donaldson	Husted	Miller	Smith, M. A.
Blanchfield	Duffy	Kelly	Moffitt	Sperry
Brown	Edwards	Kent	Moody	Stevens
Brownell	Endres	Kerrigan	Murray	Strassburg
Bush, R. P.	Enz	Kimball	Newschafer	Tefft
Carson	Fish	King	Nixon	Towne
Clark, J.	Fitts	Lane	O'Neil	Treadway
Clarke, C. C.	Flaherty	Larmon	Pearsall	Upson
Comstock	Gallup	Le Roy	Rhodes	Walters
Coon	Gibbs	Lewis	Rice	Whipple
Cottrell	Groat	Little	Roesch	Yetman
Cronin	Guenther	Longley		

For the negative,

Connelly

Ordered, That the clerk return said bill to the Senate with a message that the Assembly have agreed to the report of the committee of conference thereon.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill Int. No. 770, entitled "An act to amend an act entitled 'An act to incorporate the Faxton Hospital in the city of Utica,' passed March 14, 1872," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the bill entitled "An act to amend chapter 143 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' as amended by chapter 14 of the Laws of 1880, entitled 'An act to further amend chapter 143 of the Laws of 1861, entitled An act to amend and consolidate the several acts in relation to the charter of the city of Rochester, and to consolidate therewith the several acts in relation to the charter of said city'" (Rec. No. 373), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

A message from the Senate was received and read, in the words following:

Resolved, That a respectful message be sent to the Assembly requesting the return to the Senate of Senate bill No. 577, entitled "An act to provide for the construction of an iron bridge over the Tonawanda creek and Erie canal, connecting Main street in the village of North Tonawanda, in the county of Niagara, with Delaware street in the village of Tonawanda, in the county of Erie, and making an appropriation therefor" (Rec. No. 277), for the purpose of amendment.

Said bill being in the committee on canals, by unanimous consent said committee was discharged from the further consideration of said bill and the request of the Senate granted and said bill ordered returned to the Senate.

The Senate bill (Rec. No. 346) entitled "An act to prevent the sale and delivery of adulterated wheat in the markets of this State," having been announced for a third reading,

Mr. Andrus moved to amend the same as follows:

Section 1, line 6, engrossed bill, strike out the word "sixty" and insert the word "fifty-six."

On motion of Mr. Andrus, and by unanimous consent, said bill was laid aside until this afternoon.

On motion of Mr. Husted, and by unanimous consent, Senate bill No. 567, entitled "An act to amend section 1721 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act, and to declare the special and local laws affecting public interests in the city of New York'" (Rec. No. 215), now on the order of third reading, was ordered to now have its third reading.

On motion of Mr. Husted, and by unanimous consent, Senate bill No. 160, entitled "An act to tax sales of beverages in certain cases" (Rec. No. 311), was ordered to be read the third time.

Said bill having been announced for a third reading,

Mr. Ainsworth moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 69 }
{ NOES 49 }

Those who voted in the affirmative, were

Acker	Cottrell	Flaherty	McAdam	Smith, M. A.
Adams	Crosby	Gallup	McKenzie	Sperry
Ainsworth	Curtis	Groat	Mead	Stevens
Aspinall	Dante	Hamilton	Mesick	Tefft
Baker, A. B.	Davidson	Hughes	Moffitt	Towne
Barton	Decker	Husted	Moody	Treadway
Bauer	de Peyster	Kimball	Nixon	Upson
Brown	Dinehart	King	Pearsall	Van Gorder
Brownell	Donaldson	Lane	Peck	Walters
Carson	Dunlap	Larmon	Rhodes	Whipple
Cheney	Edwards	Lewis	Saunders	Yates
Clark, J.	Enz	Loder	Savery	Youngman
Comstock	Fish	Mase	Saxton	Speaker
Coon	Fitts	Maynard	Sheldon	

Those who voted in the negative, were

Blake	Duffy	Hayes	McLaughlin	Schaaff
Blanchfield	Dunham	Hitt	Miley	Sheehan
Blumenthal	Endres	Hornidge	Miller	Smith, C.
Bush, G. H.	Graham	Kelly	Mullaney	Smith, T.
Bush, R. P.	Greene	Kent	Murray	Strassburg
Clarke, C. C.	Guenther	Kerrigan	Newschafer	Sullivan
Connelly	Haffner	Longley	O'Neil	Townsend
Cronin	Hagan	Martin	Rice	Yetman
Demarest	Haggerty	McCann	Roesch	Young
Dinkelspiel	Harwood	McCarren	Ryan	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Andrus moved that the House do now resolve itself into a committee of the whole upon Assembly bill No. 1242, entitled "An act to revise the charter of the city of Buffalo."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

{ AYES 59 }
{ NOES 31 }

Those who voted in the affirmative, were

Acker	Comstock	Flaherty	Little	Sheehan
Adams	Coon	Gallup	Maynard	Smith, M. A.
Ainsworth	Cottrell	Groat	McAdam	Sperry
Andrus	Crosby	Guenther	McKenzie	Stevens
Aspinall	Davidson	Hamilton	Mesick	Tefft
Baker, A. B.	Decker	Hughes	Moffitt	Towne
Baker A. H.	de Peyster	Husted	Moody	Upson
Barton	Dinehart	King	Pearsall	Van Gorder
Bauer	Donaldson	Lane	Rhodes	Whipple

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Brown	Edwards	Larmon	Roesch	Yates
Brownell	Enz	Le Roy	Saunders	Youngman
Carson	Fitts	Lewis	Saxton	

Those who voted in the negative, were

Blake	Endres	Hornidge	McCarren	Schaaff
Blanchfield	Greene	Kelly	McLaughlin	Smith, C.
Blumenthal	Haffner	Kent	Mullaney	Smith, T.
Bush, G. H.	Haggerty	Longley	Newschafer	Strassburg
Connelly	Hayes	Martin	O'Neil	Sullivan
Cronin	Hitt	McCann	Ryan	Young
Dunham				

Mr. Sheehan moved to lay all orders of business upon the table down to reports of standing committees, for the purpose of going into that order of business.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

{ AYES 37 }
{ NOES 63 }

Those who voted in the affirmative, were

Blake	Duffy	Kelly	McKenzie	Roesch
Blumenthal	Endres	Kent	McLaughlin	Ryan
Bush, G. H.	Guenther	Kerrigan	Miley	Schaaff
Bush, R. P.	Haffner	Longley	Mullaney	Sheehan
Clarke, C. C.	Hagan	Martin	Murray	Smith, T.
Connelly	Hayes	McCann	Newschafer	Strassburg
Cronin	Hitt	McCarren	O'Neil	Sullivan
Demarest	Hornidge			

Those who voted in the negative, were

Acker	Comstock	Enz	Loder	Smith, C.
Adams	Coon	Fish	Maynard	Smith, M. A.
Ainsworth	Cottrell	Fitts	Mead	Sperry
Aspinall	Crosby	Flaherty	Mesick	Stevens
Baker, A. B.	Curtis	Gibbs	Moffitt	Tefft
Baker, A. H.	Dante	Groat	Moody	Treadway
Barton	Davidson	Hamilton	Pearsall	Upson
Bauer	Decker	Hughes	Rhodes	Van Gorder
Blanchfield	de Peyster	Husted	Saunders	Walters
Brown	Dinehart	Kimball	Savery	Whipple
Carson	Dinkelspiel	Lane	Saxton	Yates
Cheney	Donaldson	Larmon	Sheldon	Youngman
Clark, J.	Edwards	Le Roy		

On motion of Mr. Martin, and by unanimous consent,

Mr. Saxton, from the committee on judiciary, to which was referred the Senate bill introduced by Mr. Stadler, Int. No. 320, entitled "An act to amend subdivision 10 of section 1081 of the Code of Civil Procedure relating to jurors and courts of record," reported in favor of

the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading, and ordered to be read the third time to-day.

The Senate bill (No. 567) entitled "An act to amend section 1721 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York'" (Rec. No. 215), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 1 }

Those who voted in the affirmative, were

Adams	Cottrell	Greene	Martin	Sheehan
Ainsworth	Cronin	Groat	Maynard	Sheldon
Baker, A. B.	Curtis	Guenther	McCann	Smith, C.
Baker, A. H.	Dante	Haffner	McKenzie	Smith, M. A.
Barton	Decker	Haggerty	Miley	Smith, T.
Bauer	Demarest	Hamilton	Moody	Sullivan
Blake	de Peyster	Hayes	Mullaney	Tefft
Blanchfield	Dinehart	Hitt	Murray	Townsend
Blumenthal	Dinkelspiel	Hornidge	Newschafer	Treadway
Brown	Donaldson	Hughes	Nixon	Upson
Brownell	Duffy	Husted	Pearsall	Van Gorder
Bush, G. H.	Dunlap	Kelly	Rhodes	Walters
Bush, R. P.	Edwards	Kent	Roesch	Whipple
Carson	Endres	King	Saunders	Yates
Cheney	Enz	Lane	Savery	Yetman
Comstock	Fish	Le Roy	Saxton	Young
Connolly	Fitts	Little	Schaaff	Speaker
Coon	Gibbs	Longley		

For the negative,
Mead

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the following entitled bill:

"An act to establish and organize the State Commission in Lunacy, and to define its duties." (No. 550.)

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same, as amended:

"An act to authorize the comptroller of the city of New York to examine the claim of John J. Clarke and to audit and allow the same." (No. 664.)

"An act to amend an act entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn, with reference to the department of parks.'" (No. 1208.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill entitled "An act to authorize the board of supervisors of Oneida county to levy a tax upon the towns and wards in said county for the purpose of erecting a soldiers' monument in the city of Utica" (No. 368), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Fish called from the table the report of the special committee of seven members appointed to investigate the construction of the Assembly Chamber ceiling and repairs to the staircase, as set forth in Assembly Document No. 104.

The question recurring upon agreeing with said report,

Mr. Hitt offered the following:

Resolved, That the report of the committee on appropriations, as set forth in Assembly Document No. 66, pages 1 to 8, inclusive, except that part of it which relates to the Comptroller, be substituted for said special report.

Mr. Crosby raised the point of order that said report having been adopted, the motion to substitute was not in order.

Mr. Speaker decided the point of order not well taken.

Pending the consideration of said report,

Mr. Greene moved that the time of the session be extended until the question before the House was disposed of.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Sheehan moved to amend said report by inserting after the word "bondsmen," page 22, line 13, the words "or any of these persons."

Mr. Gibbs moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Sheehan, to amend, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Hitt, to substitute, and it was determined in the affirmative.

{ AYES 63 }
{ NOES 44 }

Those who voted in the affirmative, were

Ainsworth	Decker	Hughes	Miley	Smith, C.
Andrus	Demarest	Kimball	Miller	Smith, M. A.
Baker, A. B.	Dinkelspiel	Lane	Moody	Stevens
Baker, A. H.	Edwards	Larmon	Murray	Sullivan
Barton	Endres	Lewis	Nixon	Tefft
Bauer	Fitts	Loder	O'Neil	Towne
Brown	Flaherty	Martin	Peck	Townsend
Carson	Graham	Maynard	Rice	Upton
Cheney	Greene	McAdam	Ryan	Walters
Clark, J.	Groat	McCarren	Saunders	Whipple

Comstock	Guenther	McKenzie	Savery	Yates
Cronin	Haggerty	McLaughlin	Sheldon	Young
Dante	Hitt	Mesick		

Those who voted in the negative, were

Acker	Crosby	Gibbs	Little	Saxton
Aspinall	Curtis	Haffner	Mase	Sheehan
Blake	de Peyster	Hagan	McCann	Smith, T.
Blanchfield	Donaldson	Hamilton	McMaster	Sperry
Blumenthal	Duffy	Hayes	Mead	Strassburg
Bush, G. H.	Dunham	Husted	Mullaney	Treadway
Bush, R. P.	Dunlap	Kelly	Newschafer	Van Gorder
Connelly	Fish	Kerrigan	Pearsall	Youngman
Cottrell	Gallup	King	Rhodes	

Mr. Speaker then put the question whether the House would agree to said substitute, and it was determined in the affirmative.

The hour of 2 o'clock having arrived, the House took a recess until 4 o'clock.

FOUR O'CLOCK P. M.

The House again met.

Mr. Ryan introduced a bill entitled "An act to authorize the common council of the city of Troy to consent that the trustees of the Rensselaer County Soldiers and Sailors' Monument Association to erect and forever maintain upon the land of said city of Troy, known as Washington square, in said city, the monument authorized to be erected and maintained by said association, as provided in the articles of said association, filed in the office of the Secretary of State, in the city of Albany, on the 17th day of November, 1886" (Int. No. 1245), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Ryan, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and to be read the third time May fifteenth.

The Senate returned the concurrent resolution returning to the Governor without amendment Assembly bill No. 784, entitled "An act to provide for the erection of a State armory in the village of Cortland, county of Cortland, and making an appropriation therefor," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Hitt introduced a bill entitled "An act to extend the time for the completion of the Schenectady, Albany and North Adams railroad" (Int. No. 1246), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hitt, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

MAY 14.]

1867

COMMITTEE
{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Harwood	McKenzie	Savery
Adams	Davidson	Hayes	McLaughlin	Saxton
Aspinall	Dinehart	Hitt	Mead	Schaaft
Baker, A. B.	Dinkelspiel	Hughes	Miley	Sheldon
Baker, A. H.	Donaldson	Husted	Moffitt	Smith, M. A.
Bauer	Duffy	Kelly	Mullaney	Sperry
Blanchfield	Dunlap	Kent	Murray	Tefft
Blumenthal	Endres	Kimball	Nixon	Towne
Brown	Enz	Lane	O'Neil	Van Gorder
Bush, R. P.	Fitts	Lewis	Pearsall	Walters
Cheney	Gibbs	Little	Rhodes	Whipple
Comstock	Greene	Loder	Rice	Yetman
Coon	Haffner	Longley	Roesch	Young
Cottrell	Hagan	Martin	Ryan	Youngman
Cronin	Haggerty	McAdam	Saunders	Speaker
Crosby	Hamilton	McCarren		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 215) entitled "An act to amend chapter 96 of the Laws of 1880, entitled 'An act to provide for the improvement and care of private parks in the city of Rochester'" (Rec. No. 202), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Groat	Loder	Peck
Adams	Crosby	Haffner	Longley	Roesch
Ainsworth	Curtis	Hagan	Martin	Saxton
Andrus	Davidson	Haggerty	McAdam	Schaaft
Baker, A. B.	Dinehart	Hamilton	McCarren	Sheldon
Baker, A. H.	Dinkelspiel	Harwood	McKenzie	Smith, T.
Bauer	Duffy	Hitt	McLaughlin	Sperry
Blake	Dunlap	Hughes	Mead	Stevens
Blanchfield	Endres	Husted	Mesick	Tefft
Blumenthal	Enz	Kelly	Miller	Towne
Brown	Fitts	Kent	Moffitt	Van Gorder
Bush, R. P.	Flaherty	Kimball	Moody	Walters
Cheney	Gallup	Lane	Mullaney	Whipple
Comstock	Gibbs	Larmon	Murray	Yetman
Coon	Graham	Lewis	Newschafer	Young
Cottrell	Greene	Little	Pearsall	Youngman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 702) entitled "An act authorizing the removal of the remains of deceased persons now interred in the cemetery in the city of Lockport, known as the Episcopal cemetery, and for their reinterment in Glenwood cemetery, in said city of Lockport, and for other purposes," having been announced for a third reading,

On motion of Mr. Little, and by unanimous consent, Senate bill No. 551, same title, was substituted for said bill and read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Greene	Lewis	Peck
Ainsworth	Curtis	Groat	Little	Rhodes
Andrus	Dante	Guenther	Loder	Roesch
Aspinall	Davidson	Haffner	Martin	Ryan
Baker, A. B.	Demarest	Hagan	Maynard	Saunders
Baker, A. H.	Dinehart	Haggerty	McAdam	Saxton
Barton	Dinkelspiel	Hamilton	McKenzie	Schaaff
Bauer	Donaldson	Hayes	McLaughlin	Smith, M. A.
Blake	Duffy	Hitt	Mead	Stevens
Blanchfield	Dunlap	Hughes	Mesick	Towne
Blumenthal	Edwards	Husted	Moffitt	Van Gorder
Bush, R. P.	Endres	Kelly	Moody	Walters
Cheney	Enz	Kent	Mullaney	Whipple
Comstock	Fitts	Kimball	Murray	Yetman
Coon	Flaherty	Lane	Nixon	Young
Cottrell	Gallup	Larmon	Pearsall	Youngman
Cronin				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 786) entitled "An act to provide for the improvement of portions of Jackson avenue, Vernon avenue and the Boulevard in Long Island City, and for the payment of the expenses thereof," having been announced for a third reading,

On motion of Mr. Cronin, and by unanimous, the same was substituted for Senate bill No. 658 (Rec. No. 307), same title and subject, and amended as follows:

Section 1, line 18, after the word "council" (first occurring) insert the words "of said city."

Section 2, line 3, after the word "pave" strike out the words "with stone pavement."

Same section, line 7, after the word "pave" strike out the words "with stone pavement."

Same section, line 13, after the word "pave" strike out the words "with stone pavement."

Same section, line 35, after the word "constructed" insert the words "The pavement laid upon each of said avenues and the Boulevard shall be of the kind selected and approved in writing by the owners of a majority in lineal feet of lands fronting upon said avenues and Boulevard, within the limits above mentioned, which written selection and approval shall be filed with said improvement commissioners."

Strike out section 16, and insert the following as section 16:

"§ 16. This act shall be submitted for approval to the electors of Long Island City at the next general election for city officers in said city, and the inspectors of election at each poll in said city shall provide at each poll in said city a box to receive ballots of the voters of said city in relation to the approval or disapproval of the provisions of this act. And each voter may present a ballot on which shall be written or printed, or partly written and partly printed, in the form following, viz.: 'For the act for the improvement of Jackson avenue, Vernon avenue and the Boulevard,' or 'Against the act for the improvement of Jackson avenue, Vernon avenue and the Boulevard,' and returns thereof shall be made accordingly by the inspectors of election. Said ballots shall be indorsed 'Street Improvements.' All citizens qualified to vote for city officers in Long Island City shall be entitled to vote upon this act in the ward or district in which they shall be so qualified. Such ballots shall be cast, counted, canvassed, certified and returned by the same officers, and in the same manner as ballots for city officers of said city."

Insert as section 17 the following:

"§ 17. No application for the appointment of commissioners as provided in the first section of this act shall be made until after the approval of this act as provided in the last section."

Insert as section 18 the following:

"§ 18. This act shall take effect immediately."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Greene	McLaughlin	Savery
Adams	Curtis	Groat	Mesick	Saxton
Ainsworth	Dante	Guenther	Miller	Schaaff
Andrus	Davidson	Haffner	Moffitt	Sheldon
Baker, A. B.	Decker	Haggerty	Moody	Smith, C.
Baker, A. H.	Demarest	Harwood	Mullaney	Smith, M. A.
Bauer	Dinehart	Hitt	Murray	Sperry
Blanchfield	Dinkelspiel	Hughes	Newschafer	Stevens
Blumenthal	Donaldson	Kelly	O'Neil	Sullivan
Brown	Dunlap	Kimball	Pearsall	Tefft
Bush, R. P.	Edwards	Larmon	Peck	Towne
Cheney	Endres	Lewis	Rhodes	Van Gorder

Comstock	Enz	Loder	Rice	Walters
Coon	Fitts	Longley	Roesch	Whipple
Cottrell	Flaherty	Martin	Ryan	Young
Cronin	Gibbs	McKenzie	Saunders	Youngman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The bill (No. 879) entitled "An act in relation to Astoria park in Long Island City," having been announced for a third reading,

On motion of Mr. Cronin, and by unanimous consent, the same was amended as follows:

Strike out all after the enacting clause and insert the following:

SECTION 1. At any time within four months after the passing of this act the common council of Long Island City are authorized to adopt a resolution or resolutions requiring Long Island City to purchase or acquire in fee the lands embraced within "Ravenswood park" and the "Parade ground," in the third ward of said city, and "Astoria park," in the fourth ward of said city, or either or any of them, together with the lands embraced within such parts of the streets, avenues and boulevards as are adjacent thereto, as said parks and parade ground and said streets, avenues and boulevards are now laid out upon the commissioners' map of said city. The word "parks" when used in this act shall be deemed to include each of said parks and parade ground unless the context shows a different meaning was intended.

§ 2. In case such resolution or resolutions are adopted as to any of the lands embraced within said parks, the common council of said city are hereby appointed the agents of said city for the purpose of acquiring such lands, and for and in the name of said city may purchase or otherwise acquire such lands and premises, and take and record deeds therefor in the name of said city. In case such agents are unable within six months after the passage of this act to acquire any piece or portion of such lands and premises, for the reason that they are unable to agree with the persons owning or interested in such lands or premises, or any part thereof as to the price thereof, or for the reason that there is no person of full age authorized and competent to convey the same or for any other reason, then such lands and premises shall be acquired by said city by proceedings, the same as are provided for the acquisition of land for depot purposes under the provisions of the act entitled "An act to authorize the formation of railroad corporations, and to regulate the same," passed April 2, 1850, and the acts amendatory thereof and supplementary thereto.

§ 3. All such proceedings shall be instituted and conducted by the attorney and counsel to the corporation of said city, with such associates or assistants as he may employ, and there shall be paid to him from the fund hereinafter provided for searching the title to such premises and for conducting the proceedings, and for other necessary legal services and assistance herein authorized, a sum to be fixed by the Supreme Court on notice to the common council of said city, not exceeding the fair value thereof. And all disbursements necessarily made, for official searchers and recording or filing deeds or other papers in the proceedings herein authorized, shall be certified by such

corporation counsel and by the common council of said city, and paid from the fund hereinafter provided.

§ 4. For the purpose of providing the money to acquire such land and to meet the other expenses authorized by this act, the treasurer of said city shall cause to be printed or engraved bonds of said city, with proper coupons attached, to be called "Park Bonds," which bonds shall be of the denomination of \$500 each, and shall be numbered consecutively, and shall be issued only on requisition of said agents of said city, or a majority of them, and shall be signed by the mayor and city treasurer and attested by the city clerk, and the seal of said city shall be attached thereto. They shall bear interest at the rate of four per cent per annum, and shall be drawn so that an amount not exceeding one-twentieth thereof, as nearly as can be conveniently estimated shall fall due in each year for twenty years after the year 1899. Said bonds shall be sold by said treasurer to the highest bidder at auction, at not less than par, after advertisement of not less than two weeks in a newspaper published in said city, and another published in the city of New York, and another published in the city of Brooklyn, to be designated by the treasurer, and in such other papers as he may deem necessary, not exceeding six. The proceeds of the sale of said bonds shall be paid into the treasury of said city, and shall be used only for the purposes authorized by this act.

§ 5. In case such resolution or resolutions shall not be adopted as to any of said parks, then such parks as to which said resolution or resolutions shall not be adopted, shall be deemed and hereby are stricken from the commissioners' map of said city, and said map shall be deemed amended accordingly. And the common council of said city shall thereupon cause a survey and map to be made of the lands now embraced within the limits of such parks as to which resolution shall not be adopted, and shall cause new streets, avenues and boulevards to be laid out through the same in conformity, as nearly as may be, with the general city plan, and may alter the width, grades and courses of Noble, Harsell and Rogers streets as now laid out, between the easterly line of Vernon avenue and the westerly line of the boulevard, and of the boulevard as now laid out between Freeman and Harris avenues, and shall cause to be erected suitable and durable monuments at proper places so as to denote the position and courses of such new or altered streets, avenues or boulevards. And said common council shall cause the new blocks so formed to be laid out upon such survey and map into lots to conform in dimensions as nearly as may be to other lots on the said map, with suitable lot and block numbers for the same. Which said survey and map, when adopted and approved by said common council, shall be and become a part of the official map and survey of said city, as if originally made. Said original map and survey shall be filed in the office of the clerk of Queens county to remain on record, and a copy thereof with the city clerk of said city to remain on record and a copy thereof with the Secretary of State to remain on record.

§ 6. For the purposes hereinbefore mentioned the common council of said city may employ such surveyor and other persons as may be necessary, and the expense thereof and of all proceedings hereunder

shall be a charge against said city and shall be audited, raised by taxation and paid, as other similar city charges.

§ 4. This act shall take effect immediately.

Amend the title so as to read as follows:

"An act in relation to certain parks and a parade ground in Long Island City."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Decker	Harwood	McLaughlin	Saxton
Adams	Demarest	Hitt	Mead	Schaaff
Andrus	Dinehart	Hornidge	Miley	Sheldon
Baker, A. B.	Dinkelspiel	Hughes	Moffitt	Smith, M. A.
Baker, A. H.	Donaldson	Husted	Moody	Stevens
Bauer	Duffy	Kelly	Murray	Tefft
Blake	Dunlap	Kent	Newschafer	Towne
Blanchfield	Edwards	Kerrigan	O'Neil	Townsend
Blumenthal	Endres	Kimball	Pearsall	Treadway
Brown	Enz	Lane	Peck	Van Gorder
Bush, R. P.	Fitts	Larmon	Rice	Walters
Comstock	Flaherty	Lewis	Roesch	Whipple
Connelly	Gibbs	Martin	Ryan	Yetman
Coon	Guenther	Maynard	Saunders	Young
Cronin	Haffner	McAdam	Savery	Youngman
Dante	Haggerty	McKenzie		

For the negative,

Graham

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 119) entitled "An act to amend subdivision 4 of section 640 of the Penal Code, Of malicious injury and destruction of property," having been announced for a third reading,

Mr. Dunlap moved to amend by inserting as section 2 the following:

§ 2. Section 290 of the Penal Code is hereby amended so as to read as follows:

§ 290. A person who,

1. Admits to or allows to remain in any dance-house, concert saloon, museum, skating rink, or in any place where wines or spirituous or malt liquors are sold or given away, or in any place of entertainment injurious to health or morals, owned, kept or managed by him in whole or in part, any child actually or apparently under the age of sixteen years, unless accompanied by its parent or guardian; or,

2. Either personally or by his wife, servant, employé or his other agent sells or gives away to any child actually or apparently under

the age of sixteen years, any beer, ale, wine, or any strong or spirituous liquor; or,

3. Suffers or permits any such child to play any game of skill or chance in any such place, or in any place adjacent thereto, or to be or remain therein, or admits to or allows to remain in any reputed house of prostitution or assignation, or in any place where opium or any preparation thereof is smoked, any child actually or apparently under the age of sixteen years; or,

4. Sells, pays for or furnishes any opium or other narcotic or any cigar, cigarette or tobacco in any of its forms to any child actually or apparently under the age of sixteen years; is guilty of a misdemeanor.

Change section 2 to section 3.

Amend the title by inserting after the word "forty" the words "and section 290."

Mr. Greene raised the point of order that the amendment was not germane to the subject-matter of the bill now before the House.

Mr. Speaker decided the point of order well taken.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 69 }
{ NOES 11 }

Those who voted in the affirmative, were

Ainsworth	Dante	Hitt	Moffit	Sperry
Aspinall	Davidson	Husted	Moody	Stevens
Baker, A. B.	Demarest	Kelly	Murray	Strassburg
Baker, A. H.	Dinehart	Kimball	Newschafer	Sullivan
Bauer	Donaldson	Lane	Nixon	Towne
Brown	Dunham	Larmon	Roesch	Townsend
Brownell	Edwards	Lewis	Ryan	Treadway
Bush, R. P.	Endres	Little	Saunders	Walters
Carson	Enz	Martin	Savery	Whipple
Connelly	Fitts	McCann	Saxton	Yates
Cottrell	Flaherty	McKenzie	Schaaff	Yetman
Cronin	Gibbs	McLaughlin	Sheldon	Young
Crosby	Haggerty	Mesick	Smith, M. A.	Youngman
Curtis	Hayes	Miley	Smith, T.	

Those who voted in the negative, were

Acker	Dinkelspiel	Kerrigan	Mead	Pearsall
Blanchfield	Haffner	Maynard	O'Neil	Smith, C.
Blumenthal				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 992) entitled "An act to amend chapter 230 of the Laws of 1882, entitled 'An act to incorporate the Franklin Loan and Trust Company of the city of New York,' as amended by chapter 474 of the Laws of 1887," having been announced for a third reading,

On motion of Mr. Roesch, and by unanimous consent, the same was amended as follows:

Line 45, strike out the word "real" at the end of the line.

Lines 55 and 56, strike out the words "which bonds or obligations may be secured by mortgage or pledge of property of the company," and insert instead thereof the words "but nothing herein contained shall be construed as giving the right to issue bills to circulate as money."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Groat	Loder	Savery
Andrus	Curtis	Haffner	Maynard	Saxton
Aspinall	Dante	Hagan	McCann	Schaaff
Baker, A. B.	Davidson	Haggerty	McCarren	Sheldon
Baker, A. H.	Decker	Harwood	McLaughlin	Smith, M. A.
Bauer	Dinehart	Hayes	Moffitt	Smith, T.
Blake	Dinkelspiel	Hitt	Moody	Stevens
Blunchfield	Donaldson	Hornidge	Murray	Strassburg
Blumenthal	Duffy	Hughes	Newschafer	Sullivan
Brown	Dunham	Kelly	Nixon	Townsend
Bush, R. P.	Edwards	Kent	Pearsall	Treadway
Carson	Endres	Kimball	Peck	Van Gorder
Clark, J.	Enz	Lane	Rice	Walters
Comstock	Fitts	Larmon	Roesch	Whipple
Connelly	Graham	Lewis	Ryan	Yetman
Coon	Greene	Little	Saunders	Youngman
Cottrell				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 152) entitled "An act to amend section 2161 of the Code of Civil Procedure, relating to the annexing the original accounts of the consenting creditor under the two-third act" (Rec. No. 56), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Graham	Loder	Ryan
Adams	Crosby	Greene	McAdam	Saunders
Ainsworth	Dante	Guenther	McCann	Saxton

Andrus	Davidson	Haffner	McCarren	Schaaff
Aspinall	Decker	Hagan	McLaughlin	Sheldon
Baker, A. B.	Demarest	Harwood	Mesick	Smith, M. A.
Baker, A. H.	Dinehart	Hitt	Moffitt	Smith, T.
Bauer	Dinkelspiel	Hornidge	Moody	Sperry
Blanchfield	Donaldson	Hughes	Mullaney	Stevens
Blumenthal	Duffy	Kelly	Murray	Strassburg
Brownell	Dunham	Kent	Newschafer	Treadway
Bush, R. P.	Dunlap	Kimball	Nixon	Van Gorder
Carson	Edwards	Lane	O'Neil	Whipple
Comstock	Endres	Larmon	Pearsall	Yetman
Connelly	Fitts	Lewis	Rhodes	Young
Coon	Flaherty	Little	Roesch	Youngman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 384) entitled "An act to incorporate the American Baptist Education Society" (Rec. No. 158) was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dinehart	Harwood	McCarren	Savery
Andrus	Donaldson	Hayes	McLaughlin	Saxton
Aspinall	Duffy	Hitt	Mesick	Schaaff
Baker, A. B.	Dunham	Hornidge	Miley	Sheldon
Baker, A. H.	Dunlap	Hughes	Moffitt	Smith, M. A.
Blanchfield	Edwards	Kelly	Moody	Smith, T.
Blumenthal	Endres	Kent	Murray	Strassburg
Brown	Enz	Kerrigan	Newschafer	Towne
Brownell	Flaherty	Kimball	Nixon	Treadway
Bush, R. P.	Gibbs	Lane	O'Neil	Upton
Carson	Graham	Larmon	Pearsall	Walters
Cottrell	Greene	Little	Peck	Whipple
Crosby	Groat	Loder	Rhodes	Yates
Curtis	Guenter	Martin	Roesch	Young
Dante	Haffner	McCann	Saunders	Youngman
Davidson	Hagan			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 223) entitled "An act supplemental to chapter 187 of the Laws of 1856, entitled 'An act to exempt the library edifice and site of the New York Historical Society from sale under execution'" (Rec. No. 151), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Enz	Maynard	Saxton
Adams	Cronin	Fitts	McCann	Sheldon
Ainsworth	Crosby	Flaherty	McCarren	Smith, M. A.
Andrus	Curtis	Graham	McKenzie	Smith, T.
Aspinall	Dante	Haffner	Mesick	Sperry
Baker, A. B.	Davidson	Harwood	Miley	Stevens
Baker, A. H.	Decker	Hughes	Moffitt	Strassburg
Bauer	Demarest	Husted	Moody	Sullivan
Blanchfield	Dinehart	Kent	Mullaney	Towne
Blumenthal	Dinkelspiel	King	O'Neil	Treadway
Brown	Donaldson	Lane	Pearsall	Upson
Brownell	Duffy	Larmon	Roesch	Whipple
Bush, R. P.	Dunham	Lewis	Ryan	Yates
Carson	Dunlap	Little	Saunders	Yetman
Comstock	Edwards	Loder	Savery	Youngman
Connelly	Endres	Mase		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 460) entitled "An act to amend section 1854 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York'" (Rec. No. 171), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 2 }

Those who voted in the affirmative, were

Acker	Demarest	Haggerty	McCarren	Sheehan
Andrus	Dinehart	Hamilton	McKenzie	Smith, M. A.
Baker, A. B.	Dinkelspiel	Harwood	McLaughlin	Smith, T.
Baker, A. H.	Donaldson	Hughes	Miley	Sperry
Bauer	Duffy	Husted	Moffitt	Strassburg
Blake	Dunham	Kelly	Moody	Sullivan
Blanchfield	Dunlap	Kent	Mullaney	Towne
Blumenthal	Edwards	Kerrigan	Murray	Townsend
Brown	Endres	Kimball	Newschafer	Treadway
Brownell	Enz	Lane	Nixon	Upson
Bush, R. P.	Fitts	Larmon	O'Neil	West
Carson	Gibbs	Little	Pearsall	Whipple
Cottrell	Graham	Loder	Rhodes	Yates

Cronin	Greene	Mase	Rice	Yetman
Curtis	Groat	Maynard	Saunders	Young
Dante	Guenther	McAdam	Savery	Youngman
Decker	Haffner	McCann	Saxton	

Those who voted in the negative, were

Crosby King

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 373) entitled "An act making an appropriation of money unexpended, heretofore appropriated for the construction of a lift or swing-bridge over the Erie canal at Brockport; providing for changes in said bridge and making an additional appropriation therefor" (Rec. No. 144), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Harwood	McAdam	Sheldon
Adams	Dinehart	Hornidge	McCarren	Smith, C.
Andrus	Dinkelspiel	Hughes	McKenzie	Smith, M. A.
Baker, A. B.	Donaldson	Husted	Mead	Smith, T.
Baker, A. H.	Duffy	Kelly	Mesick	Sperry
Bauer	Dunlap	Kent	Miley	Strassburg
Blumenthal	Edwards	Kerrigan	Moffitt	Sullivan
Brown	Endres	Kimball	Moody	Towne
Brownell	Fish	King	Murray	Treadway
Bush, R. P.	Fitts	Lane	Newschafer	Upson
Carson	Gibbs	Larmon	Nixon	Walters
Comstock	Graham	Lewis	O'Neil	Whipple
Cottrell	Groat	Little	Rice	Yetman
Curtis	Guenther	Loder	Ryan	Young
Dante	Haffner	Mase	Schaaff	Youngman
Davidson	Haggerty	Maynard	Sheehan	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 169) entitled "An act in relation to consents of stockholders to mortgages by corporations of real estate, which consents have been recorded instead of being filed" (Rec. No. 58), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Decker	Hughes	McKenzie	Sheehan
Ainsworth	Dinehart	Husted	Mead	Smith, C.
Andrus	Dinkelspiel	Kelly	Miley	Smith, M. A.
Baker, A. B.	Donaldson	Kent	Moffitt	Sperry
Baker, A. H.	Edwards	Kerrigan	Moody	Sullivan
Bauer	Endres	Kimball	Murray	Towne
Blanchfield	Enz	King	Newschafer	Townsend
Blumenthal	Fitts	Lane	Nixon	Upson
Brown	Flaherty	Larmon	O'Neil	Van Gorder
Brownell	Graham	Lewis	Pearsall	Walters
Bush, R. P.	Greene	Little	Roesch	Whipple
Carson	Groat	Loder	Ryan	Yates
Clark, J.	Guenther	Mase	Savery	Yetman
Comstock	Haffner	Maynard	Saxton	Young
Curtis	Haggerty	McAdam	Schaaff	Youngman
Davidson	Harwood	McCarren		

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same.

The bill (No. 997) entitled "An act to reappropriate the unexpended balance of the amount appropriated by chapter 593 of the Laws of 1881, entitled 'An act for the removal of causes of malaria and danger to the public health from a portion of the abandoned Chemung canal and Genesee Valley canal, and making an appropriation for such purposes,' and to direct its expenditure for the same object," having been announced for a third reading,

On motion of Mr. R. P. Bush, and by unanimous consent, the same was amended as follows:

Section 1, line 11, engrossed bill, strike out the word "nuisance" and insert the word "nuisances."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dinkelspiel	Husted	Moffitt	Smith, M. A.
Adams	Donaldson	Kelly	Moody	Smith, T.
Andrus	Duffy	Kent	Murray	Sperry
Baker, A. B.	Dunlap	Kerrigan	Newschafer	Stevens
Bauer	Edwards	Kimball	Nixon	Strassburg
Blake	Endres	Lane	O'Neil	Tefft
Blanchfield	Fitts	Larmon	Pearsall	Towne

Blumenthal	Flaherty	Little	Rhodes	Townsend
Brown	Gibbs	Longley	Rice	Upson
Brownell	Graham	Maynard	Roesch	Van Gorder
Bush, R. P.	Greene	McAdam	Ryan	Walters
Clark, J.	Groat	McCarren	Savery	Whipple
Comstock	Guenther	McKenzie	Saxton	Yates
Cottrell	Haffner	Mead	Schaaff	Yetman
Davidson	Haggerty	Mesick	Sheehan	Young
Decker	Harwood	Miley	Smith, C.	Youngman
Dinehart	Hughes			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Husted, and by unanimous consent, Senate bill (No. 714) entitled "An act to revise and consolidate the laws relating to the University of the State of New York" (Rec. No. 359), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Davidson	Harwood	McCann	Saxton
Ainsworth	Decker	Hayes	McCarren	Schaaff
Andrus	Dinehart	Hitt	Mesick	Sheehan
Baker, A. B.	Dinkelspiel	Hughes	Miley	Smith, M. A.
Baker, A. H.	Dunham	Husted	Miller	Smith, T.
Bauer	Edwards	Kerrigan	Moffitt	Sperry
Blanchfield	Endres	Kimball	Moody	Stevens
Blumenthal	Enz	King	Newschafer	Strassburg
Brownell	Fitts	Lane	Nixon	Upson
Bush, R. P.	Flaherty	Larmon	Pearsall	Van Gorder
Carson	Gibbs	Little	Peck	Walters
Cheney	Graham	Loder	Rhodes	Whipple
Clark, J.	Greene	Longley	Rice	Yates
Comstock	Groat	Mase	Roesch	Yetman
Cottrell	Haffner	Maynard	Ryan	Young
Curtis	Haggerty	McAdam	Savery	Youngman
Dante				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1017) entitled "An act to confer upon the Commissioners of the Land Office authority to hear and determine applications for lands which have escheated to the State," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Davidson	Hagan	McCarren	Sheehan
Adams	Decker	Hamilton	Mesick	Smith, C.
Ainsworth	Demarest	Harwood	Miley	Smith, T.
Baker, A. B.	Dinkelspiel	Hayes	Moffitt	Sperry
Bauer	Duffy	Hitt	Moody	Stevens
Blake	Dunham	Hughes	Mullaney	Strassburg
Blanchfield	Edwards	Kent	Newschafer	Sullivan
Blumenthal	Endres	Kerrigan	O'Neil	Townsend
Bush, R. P.	Enz	Lane	Rhodes	Upton
Carson	Fitts	Larmon	Rice	Walters
Cheney	Gibbs	Little	Ryan	Whipple
Comstock	Graham	Loder	Saunders	Yates
Cottrell	Greene	Longley	Savery	Yetman
Crosby	Groat	Martin	Saxton	Young
Curtis	Guenther	Mase	Schaafl	Youngman
Dante	Haffner	Maynard		

For the negative,

Andrus

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1018) entitled "An act to authorize the Comptroller of the State, to lease the old State armory at Troy, to the Grand Army of the Republic Association of the city of Troy," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Guenther	McCarren	Roesch
Adams	Dante	Haffner	McKenzie	Ryan
Ainsworth	Davidson	Hagan	Mead	Saunders
Baker, A. B.	Decker	Hamilton	Mesick	Savery
Baker, A. H.	Demarest	Hayes	Miley	Saxton
Barton	Dinehart	Hughes	Miller	Schaafl
Bauer	Dinkelspiel	Kelly	Moffitt	Sheldon
Blake	Donaldson	Kent	Moody	Smith, C.
Blanchfield	Duffy	Kerrigan	Mullaney	Smith, T.
Blumenthal	Dunham	Lane	Murray	Sullivan
Brown	Dunlap	Larmon	Newschafer	Upton
Bush, R. P.	Edwards	Little	Nixon	Van Gorder
Carson	Endres	Loder	O'Neil	Walters
Cheney	Fitts	Longley	Pearsall	Whipple

Comstock	Flaherty	Martin	Peck	Yates
Connelly	Gibbs	Mase	Rice	Yetman
Cottrell	Groat	Maynard		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1021) entitled "An act to provide for a hearing of the claims of J. W. Van Slyke and others, for work and services performed for the State under the provisions of chapter 577 of the Laws of 1864," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Graham	Loder	Roesch
Adams	Connelly	Greene	Martin	Ryan
Ainsworth	Cottrell	Groat	Mase	Saunders
Andrus	Cronin	Guenther	McAdam	Savery
Baker, A. B.	Curtis	Haffner	McCarren	Schaaff
Baker, A. H.	Dante	Hamilton	McKenzie	Smith, C.
Barton	Davidson	Harwood	Mesick	Smith, T.
Bauer	Decker	Hayes	Miley	Stevens
Blake	Demarest	Hughes	Moffitt	Strassburg
Blanchfield	Dinkelspiel	Husted	Moody	Upton
Blumenthal	Duffy	Kelly	Mullaney	Walters
Brown	Dunham	Kent	Newschafer	Whipple
Bush, R. P.	Endres	Kimball	Nixon	Yates
Carson	Fitts	Lane	Pearsall	Yetman
Cheney	Flaherty	Larmon	Peck	Youngman
Clark, J.	Gibbs	Little	Rice	

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate bill (No. 557) entitled "An act to amend section 1313 of the Code of Civil Procedure, relating to appeals" (Rec. No. 209), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Graham	McAdam	Smith, C.
Adams	Connelly	Greene	McCarren	Smith, M. A.
Ainsworth	Cottrell	Groat	McKenzie	Smith, T.

Andrus	Cronin	Guenther	McLaughlin	Sperry
Baker, A. B.	Curtis	Hamilton	Mead	Stevens
Baker, A. H.	Dante	Hughes	Moffitt	Strassburg
Barton	Davidson	Husted	Moody	Sullivan
Bauer	Decker	Kent	Pearsall	Tefft
Blake	Demarest	Kimball	Peck	Upson
Blanchfield	Dinehart	Lane	Rhodes	Van Gorder
Blumenthal	Dinkelspiel	Larmon	Rice	Walters
Brown	Donaldson	Little	Saunders	Whipple
Brownell	Dunlap	Loder	Savery	Yates
Bush, R. P.	Edwards	Longley	Saxton	Yetman
Carson	Endres	Martin	Schaaff	Youngman
Cheney	Fitts	Maynard		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

On motion of Mr. Whipple, and by unanimous consent, the bill (No. 1123) entitled "An act to prohibit the St. Regis Indians residing in the Dominion of Canada from trespassing and settling upon that portion of the reservation of the St. Regis Indians residing in this State," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cheney	Gibbs	McCann	Savery
Adams	Comstock	Greene	McCarren	Saxton
Ainsworth	Cronin	Guenther	McKenzie	Smith, T.
Andrus	Dante	Haggerty	McLaughlin	Sperry
Aspinall	Davidson	Hamilton	Mead	Stevens
Baker, A. B.	Decker	Harwood	Mesick	Sullivan
Baker, A. H.	Demarest	Hayes	Miley	Townsend
Barton	Dinehart	Hughes	Miller	Treadway
Bauer	Dinkelspiel	Kent	Moffitt	Upson
Blake	Donaldson	Kimball	Moody	Van Gorder
Blanchfield	Duffy	Little	Mullaney	Walters
Blumenthal	Dunlap	Longley	Murray	Whipple
Brown	Endres	Martin	Rice	Yates
Brownell	Enz	Mase	Roesch	Yetman
Bush, R. P.	Fitts	Maynard	Ryan	Youngman
Carson	Flaherty	McAdam		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 537) entitled "An act to authorize the St. Mary's Female Hospital in the city of Brooklyn to transfer its corporate powers and property to the St. Mary's Maternity and Infants' Home in said city" (Rec. No. 210), was read the third time,

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Davidson	Haggerty	McCarren	Saxton
Ainsworth	Decker	Hamilton	McKenzie	Sheldon
Baker, A. B.	Demarest	Harwood	McLaughlin	Smith, C.
Baker, A. H.	Dinehart	Hayes	Mead	Smith, T.
Barton	Dinkelspiel	Hitt	Mesick	Sperry
Bauer	Donaldson	Hornidge	Miley	Stevens
Blake	Duffy	Hughes	Moffitt	Strassburg
Blanchfield	Dunlap	Husted	Moody	Sullivan
Blumenthal	Edwards	Kelly	Mullaney	Treadway
Brown	Endres	Kent	Murray	Upson
Bush, R. P.	Enz	Kimball	Newschafer	Van Gorder
Carson	Fitts	Lane	Nixon	Walters
Cheney	Flaherty	Larmon	Rice	Whipple
Comstock	Gibbs	Little	Roesch	Yates
Connelly	Graham	Longley	Ryan	Yetman
Cottrell	Greene	Maynard	Saunders	Youngman
Dante	Guenther	McCann	Savery	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 547) entitled "An act to provide for the building of a fishway in the dam across the Delaware river at Lackawaxen, and making an appropriation therefor" (Rec. No. 211), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Guenther	Martin	Ryan
Adams	Crosby	Hagan	Maynard	Saunders
Ainsworth	Dante	Haggerty	McAdam	Savery
Aspinall	Davidson	Hamilton	McCarren	Saxton
Baker, A. B.	Decker	Harwood	McKenzie	Schaaff
Baker, A. H.	Demarest	Hayes	McLaughlin	Sheldon
Barton	Dinehart	Hitt	Mead	Smith, C.
Bauer	Dinkelspiel	Hornidge	Mesick	Smith, T.
Blake	Donaldson	Hughes	Miley	Sperry
Blanchfield	Duffy	Husted	Miller	Stevens
Blumenthal	Dunlap	Kelly	Moffitt	Upson

Brown	Edwards	Kent	Moody	Walters
Bush, R. P.	Endres	Kimball	Murray	Whipple
Carson	Enz	Lane	Nixon	Yates
Cheney	Fitts	Larmon	O'Neil	Yetman
Comstock	Gibbs	Little	Rice	Young
Connelly	Graham	Longley	Roesch	Youngman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

On motion of Mr. Blumenthal, and by unanimous consent, the Senate bill (No. 341) entitled "An act relative to the power of the board of street opening and improvement in the city of New York" (Rec. No. 283), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Hagan	Longley	Saunders
Adams	Crosby	Haggerty	Maynard	Savery
Ainsworth	Dante	Harwood	McAdam	Sheldon
Aspinall	Davidson	Hayes	McCann	Smith, C.
Baker, A. B.	Decker	Hitt	McCarren	Smith, T.
Baker, A. H.	Demarest	Hornidge	McKenzie	Sperry
Barton	Dinehart	Hughes	McLaughlin	Stevens
Bauer	Dinkelspiel	Hunting	Mead	Tefft
Blake	Donaldson	Husted	Moffitt	Townsend
Blanchfield	Duffy	Kelly	Moody	Upson
Blumenthal	Dunham	Kent	Murray	Walters
Brown	Dunlap	Kerrigan	Newschafer	Whipple
Brownell	Endres	Kimball	Rhodes	Yates
Bush, R. P.	Enz	Lane	Rice	Young
Carson	Fitts	Larmon	Roesch	Youngman
Cheney	Guenther	Loder		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 461) entitled "An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica'" (Rec. No. 216), having been announced for a third reading,

On motion of Mr. Kent, and by unanimous consent, the same was amended as follows:

Section 1, line 11, printed bill, strike out the word "fifteen" and insert the word "thirty."

Said bill, as amended, was then read the third time.

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
 { NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Hagan	Maynard	Saunders
Adams	Curtis	Haggerty	McAdam	Savery
Ainsworth	Dante	Harwood	McCann	Schaaff
Baker, A. B.	Davidson	Hayes	McCarren	Smith, C.
Baker, A. H.	Decker	Hitt	McKenzie	Smith, M. A.
Barton	Demarest	Hornidge	McLaughlin	Smith, T.
Bauer	Dinehart	Hughes	Mead	Sperry
Blake	Dinkelspiel	Husted	Mesick	Stevens
Blanchfield	Donaldson	Kent	Moffitt	Sullivan
Blumenthal	Dunham	Kerrigan	Moody	Towne
Brown	Dunlap	Kimball	Murray	Townsend
Brownell	Edwards	Lane	Newschafer	Upton
Bush, R. P.	Endres	Larmon	O'Neil	Walters
Carson	Enz	Little	Rice	Whipple
Cheney	Fitts	Loder	Roesch	Yates
Comstock	Graham	Longley	Ryan	Young
Cottrell	Guenther			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The Senate bill (No. 376) entitled "An act to incorporate the Hill-land Horticultural Society of Southern Central New York" (Rec. No. 207), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
 { NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Flaherty	Lane	Savery
Ainsworth	Cronin	Groat	Larmon	Schaaff
Aspinall	Crosby	Guenther	Longley	Sheldon
Baker, A. B.	Curtis	Haffner	Martin	Smith, C.
Baker, A. H.	Dante	Hagan	Maynard	Smith, M. A.
Barton	Davidson	Haggerty	McAdam	Smith, T.
Bauer	Decker	Hamilton	McCann	Sperry
Blake	Demarest	Harwood	McCarren	Strassburg
Blanchfield	Dinehart	Hayes	McKenzie	Sullivan
Blumenthal	Dinkelspiel	Hitt	Mead	Upton
Brown	Donaldson	Hornidge	Moffitt	Walters
Brownell	Dunham	Hughes	Moody	Whipple
Bush, R. P.	Dunlap	Husted	Murray	Yates
Carson	Edwards	Kent	Roesch	Young
Cheney	Endres	Kerrigan	Ryan	Youngman
Comstock	Enz	Kimball	Saunders	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 397) entitled "An act to amend section 485 of the Code of Criminal Procedure of the State of New York, as amended by chapter 493 of the Laws of 1883, entitled 'An act to amend certain sections of the Code of Criminal Procedure'" (Rec. No. 219), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Haffner	Maynard	Saunders
Ainsworth	Curtis	Hagan	McAdam	Savery
Baker, A. B.	Dante	Haggerty	McCann	Smith, T.
Baker, A. H.	Davidson	Hamilton	McCarren	Sperry
Barton	Decker	Harwood	McKenzie	Stevens
Bauer	Demarest	Hayes	Mead	Strassburg
Blake	Dinehart	Hornidge	Mesick	Sullivan
Blanchfield	Dinkelspiel	Hughes	Miley	Townsend
Blumenthal	Donaldson	Husted	Moody	Upson
Brown	Dunham	Kent	Murray	Walters
Brownell	Dunlap	Kerrigan	Newschafer	Whipple
Bush, R. P.	Edwards	Kimball	Peck	Yates
Carson	Endres	Lane	Rhodes	Yetman
Cheney	Enz	Larmon	Rice	Young
Connelly	Greene	Little	Roesch	Youngman
Cottrell	Guenther	Longley		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 443) entitled "An act to provide for the purchase of a site and the erection of a house for Flatlands fire engine company No. 1 of the town of Flatlands, county of Kings, and to reimburse the said company for the purchase of their engine, and for the more effectual protection of said town against fire" (Rec. No. 220), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Greene	Maynard	Schaaff
Ainsworth	Curtis	Guenther	McAdam	Sheldon
Andrus	Dante	Haffner	McCann	Smith, C.

Aspinall	Davidson	Hagan	McCarren	Smith, T.
Baker, A. B.	Decker	Haggerty	McKenzie	Sperry
Baker, A. H.	Demarest	Harwood	Mead	Stevens
Barton	Dinehart	Hayes	Mesick	Strassburg
Bauer	Dinkelspiel	Hughes	Miley	Sullivan
Blake	Donaldson	Husted	Moody	Tefft
Blanchfield	Duffy	Kent	Newschafer	Townsend
Blumenthal	Dunham	Kimball	Nixon	Treadway
Brown	Dunlap	Lane	Pearsall	Walters
Brownell	Endres	Larmon	Peck	Whipple
Carson	Enz	Little	Roesch	Yates
Cheney	Fitts	Loder	Saunders	Yetman
Clark, J.	Gibbs	Longley	Savery	Youngman
Connelly				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 561) entitled "An act to enable the mayor and common council of Long Island City to borrow money for the purpose of increasing the water supply and laying additional water pipes in said city" (Rec. No. 222), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Haggerty	McAdam	Sheldon
Andrus	Curtis	Hamilton	McCann	Smith, C.
Aspinall	Dante	Harwood	McCarren	Smith, M. A.
Baker, A. B.	Davidson	Hayes	McKenzie	Sperry
Baker, A. H.	Decker	Hitt	Mead	Stevens
Barton	Demarest	Hughes	Mesick	Strassburg
Bauer	Dinehart	Husted	Miley	Sullivan
Blake	Dinkelspiel	Kent	Moody	Tefft
Blanchfield	Donaldson	Kerrigan	Newschafer	Townsend
Blumenthal	Duffy	Kimball	O'Neil	Treadway
Brown	Dunham	Lane	Pearsall	Walters
Brownell	Dunlap	Larmon	Peck	Whipple
Bush, R. P.	Endres	Little	Roesch	Yates
Carson	Enz	Loder	Saunders	Yetman
Cheney	Fitts	Longley	Savery	Young
Clark, J.	Haffner	Martin	Schaaff	Youngman
Connelly	Hagan	Maynard		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1210) entitled "An act to regulate the lighting of steam passenger cars," was read the third time.

Mr. Speaker put the question whether the House would agree to

the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Greene	Longley	Savery
Ainsworth	Curtis	Guenther	Maynard	Smith, M. A.
Baker, A. B.	Dante	Haffner	McAdam	Smith, T.
Baker, A. H.	Davidson	Hagan	McCann	Sperry
Barton	Decker	Haggerty	McCarren	Stevens
Bauer	Demarest	Hamilton	McKenzie	Strassburg
Blake	Dinehart	Harwood	Moffitt	Townsend
Blanchfield	Dinkelspiel	Hitt	Moody	Treadway
Blumenthal	Donaldson	Hornidge	Newschafer	Van Gorder
Brown	Dunham	Hughes	Nixon	Walters
Brownell	Dunlap	Kent	Pearsall	Whipple
Carson	Edwards	Kerrigan	Peck	Yates
Cheney	Endres	Kimball	Rhodes	Yetman
Clark, J.	Fitts	Lane	Roesch	Young
Comstock	Flaherty	Larmon	Ryan	Youngman
Connelly	Gibbs	Loder		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 807, entitled "An act to amend section 1721 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in so far as the same applies to the erection of grain elevators," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (Rec. No. 225) entitled "An act to amend chapter 614 of the Laws of 1887, entitled 'An act to establish a police pension fund for the city of Rochester,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dante	Haggerty	McCarren	Savery
Ainsworth	Davidson	Hamilton	McKenzie	Schaaff
Andrus	Decker	Harwood	Mead	Smith, M. A.

Baker, A. B.	Demarest	Hornidge	Moffitt	Smith, T.
Bauer	Dinehart	Hughes	Moody	Sperry
Blake	Dinkelspiel	Kent	Mullaney	Stevens
Blanchfield	Donaldson	Kimball	Murray	Sullivan
Blumenthal	Duffy	Lane	Newschafer	Tefft
Brown	Dunham	Larmon	Nixon	Treadway
Brownell	Dunlap	Little	O'Neil	Van Gorder
Bush, R. P.	Edwards	Loder	Pearsall	Walters
Cheney	Endres	Longley	Peck	Whippie
Clark, J.	Enz	Martin	Rhodes	Yates
Comstock	Flaherty	Mase	Rice	Yetman
Connelly	Guenther	Maynard	Roesch	Young
Crosby	Haffner	McAdam	Ryan	Youngman
Curtis	Hitt	Mesick		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 409 of the Laws of 1882, entitled 'An act to revise the statutes of this State relating to banks, banking and trust companies'" (No. 1059), reported the same with the recommendation that it be amended as follows:

Section 1, line 1, strike out the word "of" first occurring, and insert a comma after the word "twenty-one," and after the word "twelve" insert the words "relating to taxation."

Section 5, line 9, change the word "caused" to "cause."

Section 6, line 20, change the word "such" to "said."

Same section, line 37, after the word "joint" insert the word "stock."

Section 10, line 2, after the word "sections" insert the words "to be numbered respectively, 330, 331, 332, 333, 334 and 335, which shall read as follows:"

Strike out all of line 71, page 11, of printed bill, and insert the following:

"§ 11. Said chapter 409 as amended by chapter 177 of the Laws of 1889, in adding thereto a new chapter and section designated as chapter 13, miscellaneous provisions, extension of charter, and numbered section 329, is hereby amended by reënacting said section under the designation and number of section 336, which shall read as follows:

"CHAPTER XIII.

" MISCELLANEOUS PROVISIONS.

"*Extension of Charter.*

"§ 329. Any bank or banking association heretofore formed, or which may hereafter be formed, under the laws of this State, may extend the term of existence of said bank or banking association beyond the time mentioned in the original articles of association or certificate of incorporation, by the consent of stockholders owning two-thirds in amount of the capital stock of such bank or banking association, in and by a certificate to be signed by such stockholders, and acknowledged or proved, so as to enable them to be recorded, which certificate shall be filed in the office of the clerk of the county in which its original certificate of incorporation or articles of association, if any, are filed or

recorded, and a copy of said certificate filed in the office of the Superintendent of the Banking Department. And upon the filing of such certificate as aforesaid the time of the existence of such bank or banking association shall be extended as designated in such certificate for a period not exceeding the term for which said bank or banking association was organized in the first instance. Any association so extending the term of its existence, shall continue to enjoy all the rights, privileges and immunities granted, and shall continue to be subject to all the duties, liabilities and restrictions imposed by the statutes of this State, and shall continue to be in all respects, the identical association it was before the extension of its period of succession."

Add the following section:

"§ 12. This act shall take effect immediately."

Amend the title by adding thereto the words "and the acts amendatory thereof, of taxation, and extension of charter."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to authorize the supervisor of the town of Busti, in the county of Chautauqua, to convey to the Busti Cemetery Association certain lands in the town of Busti" (No. 996), reported the same with the recommendation that it be amended as follows:

Section 1, line 3, after the word "town" insert the words "for such consideration and on such terms as may be agreed upon and may be just and proper."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred to bill entitled "An act to amend chapter 623, Laws of 1887, entitled 'An act to amend chapter 534 of the Laws of 1879, entitled An act for the preservation of moose, wild deer, birds, fish and other game'" (No 1232), reported the same with the recommendation that it be amended as follows:

Section 1, line 3, after the word "game" insert the words "as amended by chapter 623 of the Laws of 1887."

Same section, line 47, insert at the end thereof the following:

"§ 2. Section 28 of said act, as amended, is hereby further amended so as to read as follows:"

Amend the title by striking out all after the word "amend" in the first line down to and including the word "amend" in the third line, and also by adding at the end of the title the words "as amended by chapter 623 of the Laws of 1887."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act authorizing railroad corporations which have purchased the right, franchise and privilege of using streets, roads, avenue, parks or public places at public auction for a percentage per annum of their gross receipts, to use the tracks of other railroad com-

panies" (No. 1011), reported the same with the recommendation that it be amended as follows:

Section 1, line 6, strike out the words "the act" and insert in lieu thereof the words "chapter 642 of the Laws of 1886."

Same section, line 10, strike out the words "passed June 15, 1886."

Same section, line 23, after the word "fifty" insert the words "and the acts amendatory thereof and supplemental thereto."

Same section, line 35, strike out the semi-colon after the word "fixed."

Amend the title by adding thereto the words "for a distance not exceeding 2,000 feet."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to facilitate transportation on the canals" (No. 640), reported the same with the recommendation that it be amended as follows:

Section 1, line 4, after the word "contracts" insert the words "with the lowest responsible bidder, upon publication of notice for bids on proposals therefor, not less than four weeks, in the paper designated for the printing of like notices, for the State departments, in the city of Albany."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Acker, from the committee on revision, to which was referred the bill entitled "An act to amend chapter 62 of the Laws of 1853, entitled 'An act to regulate the construction of roads and streets across railroad tracks'" (No. 731), reported the same without recommendation.

Ordered, That said bill be engrossed for a third reading.

Mr. McKenzie, from the committee on engrossed bills, reported as correctly engrossed the following entitled bills:

"An act to amend the Code of Civil Procedure, of the general jurisdiction of superior city courts; what answers must contain; how property to be attached; when time can not be extended; preceding order may be reviewed; limitation of time to appeal; rules of construction." (No. 993.)

"An act to regulate fishing in Glen lake, Warren county." (No. 837.)

"An act to amend chapter 71 of the Laws of 1884, entitled 'An act to authorize the use of State armories by associations of discharged soldiers,' and the acts amendatory thereof." (No. 889.)

"An act authorizing railroad corporations which have purchased the right, franchise and privilege of using streets, roads, avenues, parks or public places at public auction for a percentage per annum of their gross receipts, to use the tracks of other railroad companies." (No. 1011.)

"An act to revise and amend chapter 574 of the Laws of 1865, entitled 'An act to revise, consolidate and amend the act to incorporate the village of Stillwater,' passed April 17, 1816, and the act to amend the same, passed March 17, 1860, and to revise and amend chapter 169 of the Laws of 1873, entitled 'An act to amend an act

entitled "An act to revise, consolidate and amend the act to incorporate the village of Stillwater." (No. 834.)

"An act to amend section 2558 of the Code of Civil Procedure, relating to probate of wills." (No. 1216.)

"An act to amend sections 9 and 10 of title 1 of chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,' as amended by section 5 of chapter 213 of the Laws of 1875, entitled 'An act relative to the care and education of deaf-mutes.'" (No. 982.)

"An act to amend chapter 526 of the Laws of 1887, entitled 'An act to relieve the towns of this State from damages sustained by persons while engaged in transporting traction engines along the highways of this State.'" (No. 744.)

"An act to amend chapter 582 of the Laws of 1880, entitled 'An act to provide for excavating and tunneling and bridging for transportation purposes within villages and cities of this State.'" (No. 1191.)

"An act to amend section 1 of chapter 814 of the Laws of 1873, entitled 'An act to extend the operation and effect of the act passed February 17, 1848, entitled An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes.'" (No. 963.)

"An act to amend chapter 366 of the Laws of 1886, entitled 'An act to amend chapter 506 of the Laws of 1884, entitled An act to authorize Long Island City to create a fund to liquidate annual arrearages.'" (No. 583.)

"An act to amend the commissioners' map of the city of Brooklyn, and to authorize the common council of said city to open and grade and pave certain streets in said city." (No. 1003.)

"An act to amend section 1 of title 19, entitled 'Local Improvements,' of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn.'" (No. 1196.)

"An act in relation to the bridge over the Harlem river, in the city of New York, constructed by commissioners appointed in pursuance of chapter 487 of the Laws of 1885, entitled 'An act to provide for the construction of a bridge over the Harlem river, in the city of New York.'" (No. 1214.)

"An act to authorize the issue of the bonds of the city of Rochester to pay for an additional water supply." (No. 1206.)

The bill (No. 588) entitled "An act to provide for reports of the dormant accounts in savings banks incorporated under the laws of this State," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Guenther	Lane	Newschafer
Adams	Dante	Haffner	Larmon	O'Neil
Ainsworth	Davidson	Hagan	Loder	Pearsall

Aspinall	Decker	Haggerty	Longley	Peck
Baker, A. B.	Demarest	Hamilton	Martin	Rice
Bauer	Dinehart	Harwood	Mase	Roesch
Blanchfield	Dinkelspiel	Hayes	Maynard	Ryan
Blumenthal	Donaldson	Hitt	McAdam	Saunders
Brown	Dunlap	Hornidge	McCann	Savery
Brownell	Edwards	Hughes	McCarren	Schaaft
Bush, R. P.	Endres	Husted	McKenzie	Smith, M. A.
Cheney	Enz	Kelly	Mead	Stevens
Clark, J.	Fitts	Kent	Mesick	Van Gorder
Comstock	Flaherty	Kerrigan	Moody	Whipple
Connelly	Gibbs	Kimball	Murray	Youngman
Crosby	Greene	King		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 993) entitled "An act to amend the Code of Civil Procedure of the general jurisdiction of superior city courts; what answers must contain; how property to be attached; where time can not be extended; preceding order may be reviewed; limitation of time to appeal rules of construction," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Haffner	Longley	Rhodes
Adams	Dante	Hagan	Martin	Rice
Ainsworth	Davidson	Haggerty	Maynard	Roesch
Andrus	Decker	Hamilton	McAdam	Ryan
Aspinall	Demarest	Harwood	McCann	Saunders
Baker, A. B.	Dinehart	Hitt	McCarren	Savery
Baker, A. H.	Dinkelspiel	Hornidge	McKenzie	Smith, M. A.
Barton	Donaldson	Hughes	Mead	Smith, T.
Blanchfield	Duffy	Husted	Mesick	Sperry
Blumenthal	Dunham	Kent	Miley	Sullivan
Brown	Edwards	Kerrigan	Moffitt	Treadway
Brownell	Endres	Kimball	Moody	Walters
Carson	Enz	King	Murray	Whipple
Cheney	Gallup	Lane	Nixon	Yates
Clark, J.	Gibbs	Larmon	O'Neil	Yetman
Comstock	Greene	Little	Pearsall	Young
Crosby	Guenther	Loder	Peck	Youngman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor requesting the return to the Senate of the following entitled Senate bills for the purpose of amendment:

"An act in relation to local improvement in the town of Westchester." (Int. No. 678.)

"An act to incorporate the New York and Brooklyn Tunnel Company." (No. 356.)

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

On receipt of a telegram from J. D. Bell, chairman of memorial committee, and

On motion of Mr. Haggerty, and by unanimous consent, the bill (No. 821) entitled "An act to amend chapter 261 of the Laws of 1888, entitled 'An act to amend chapter 706 of the Laws of 1887, entitled An act to provide for the relief of indigent soldiers, sailors and marines and the families of those deceased,'" was ordered read the third time this evening.

Mr. R. P. Bush offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 900, entitled "An regulating vaccination in the State of New York," now on the order of third reading, be read the third time this evening.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate bill (No. 552) entitled "An act relative to certain streets and avenues lying in the Twenty-third ward of the city and county of New York" (Rec. No. 302), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Greene	Mase	Ryan
Ainsworth	Dante	Groat	Maynard	Saunders
Andrus	Davidson	Haffner	McCarren	Savery
Baker, A. B.	Decker	Hagan	McKenzie	Schaaff
Barton	Demarest	Haggerty	Mead	Smith, M. A.
Bauer	Dinehart	Harwood	Mesick	Sperry
Blake	Dinkelspiel	Hitt	Miley	Stevens
Blanchfield	Donaldson	Hughes	Moody	Sullivan
Blumenthal	Duffy	Kent	Murray	Tefft
Brown	Dunham	Kerrigan	Newschafer	Towne
Brownell	Dunlap	Kimball	Nixon	Treadway
Bush, R. P.	Edwards	Lane	O'Neil	Walters
Carson	Endres	Larmon	Pearsall	Whipple
Cheney	Enz	Little	Peck	Yetman
Clark, J.	Gibbs	Loder	Rhodes	Youngman
Comstock	Graham	Longley	Roesch	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the Senate bill entitled "An act making a reappropriation of money for the improvement of Oak Orchard creek and canal feeder. and making an additional appropriation therefor" (No. 603), with a message that they have concurred in the amendments of the Assembly thereto.

Ordered, That the Clerk return said bill to the Senate.

The hour of 6 o'clock having arrived, the House took a recess until 8 o'clock P. M.

EIGHT O'CLOCK P. M.

The House again met.

Mr. Mead offered for the consideration of the House a resolution in the words following:

Resolved, That Senate bill No. 414, entitled "An act to authorize the Board of Claims to hear, audit and determine the claims of Milton Pelton, Willis Edson, O. A. Howe, George P. Bassett, James A. Francisco, Phelps Knapp, Daniel Miller, Martin Gillett, Asahel Brainard, Jason Gregory, Willard Fuller, James B. Fuller, Jarvis A Fuller, Nathan H. Fuller, William Baker, Jr., John Sprague, Chester Fuller and Anson B. Fuller, for bounty, under chapter 29 of the Laws of 1865, and the several acts amendatory thereof, and to make an award thereon" (Rec. No. 328), now on the order of third reading, be substituted for Assembly bill No. 898, now on the order of third reading, being identical with Senate bill No. 414, and read the third time on Wednesday.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 500, entitled "An act authorizing and empowering medical schools to acquire property," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The privileges of the floor were extended to Hon. B. B. Clark.

The bill (No. 1043) entitled "An act to provide for the purchase and distribution of a table of expiration of sentences, under chapter 492 of the Laws of 1888," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Flaherty	Le Roy	Pearsall
Adams	Cronin	Gallup	Little	Rhodes
Ainsworth	Crosby	Gibbs	Loder	Rice

Andrus	Curtis	Graham	Longley	Ryan
Baker, A. B.	Dante	Groat	Martin	Saunders
Baker, A. H.	Davidson	Haffner	Mase	Savery
Bauer	Demarest	Haggerty	McLaughlin	Schaaff
Blake	Dinehart	Hamilton	McMaster	Smith, T.
Blanchfield	Dinkelspiel	Hayes	Mead	Sperry
Blumenthal	Donaldson	Hitt	Miller	Sullivan
Brown	Duffy	Hughes	Moffitt	Tefft
Cheney	Dunham	Husted	Moody	Van Gorder
Clarke, C. C.	Dunlap	Kerrigan	Mullaney	Whipple
Comstock	Edwards	Kimball	Murray	Yetman
Connelly	Endres	Lane	O'Neil	Youngman
Coon	Enz	Larmon		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 414) entitled "An act to authorize the Board of Claims to hear, audit and determine the claims of Milton Pelton, Willis Edson, O. A. Howe, George P. Bassett, James A. Francisco, Phelps Knapp, Daniel Miller, Martin Gillett, Asahel Brainard, Jason Gregory, Willard Fuller, James B. Fuller, Jarvis A. Fuller, Nathan H. Fuller, William Baker, Jr., John Sprague, Chester Fuller and Anson B. Fuller, for bounty under chapter 29 of the Laws of 1865, and the several acts amendatory thereof, and to make an award thereon" (Rec. No. 328), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Graham	Mase	Saunders
Adams	Curtis	Haffner	McLaughlin	Savery
Ainsworth	Dante	Hagan	Mead	Schaaff
Andrus	Davidson	Haggerty	Mesick	Smith, T.
Baker, A. B.	Decker	Hamilton	Miley	Sperry
Barton	Demarest	Hitt	Miller	Stevens
Bauer	Dinehart	Hughes	Moody	Sullivan
Blanchfield	Dinkelspiel	Kent	Mullaney	Tefft
Blumenthal	Donaldson	Kimball	Murray	Towne
Brown	Duffy	Lane	Newschafer	Townsend
Brownell	Dunham	Larmon	O'Neil	Walters
Bush, R. P.	Dunlap	Le Roy	Pearsall	Whipple
Cheney	Edwards	Lewis	Rhodes	Yates
Clark, J.	Endres	Little	Rice	Yetman
Clarke, C. C.	Enz	Loder	Roesch	Young
Comstock	Flaherty	Martin	Ryan	Youngman
Connelly				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

On motion of Mr. Haggerty, and by unanimous consent, the bill (No. 1196) entitled "An act to amend section 1 of title 19, entitled 'Local Improvements,' of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interest in the city of Brooklyn,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Haffner	Loder	Rhodes
Adams	Davidson	Hagan	Longley	Rice
Ainsworth	Decker	Haggerty	Martin	Roesch
Andrus	Demarest	Hamilton	McCann	Ryan
Baker, A. B.	Dinehart	Hayes	McLaughlin	Saunders
Baker, A. H.	Donaldson	Hitt	Mead	Savery
Bauer	Dunham	Hornidge	Mesick	Schaaff
Blake	Dunlap	Hughes	Miley	Smith, T.
Blanchfield	Edwards	Kelly	Miller	Sperry
Blumenthal	Endres	Kent	Moffitt	Stevens
Brownell	Enz	Kerrigan	Moody	Sullivan
Bush, R. P.	Fitts	Kimball	Mullaney	Towne
Cheney	Flaherty	Lane	Murray	Townsend
Clarke, C. C.	Gibbs	Larmon	Newschafer	Walters
Comstock	Greene	Le Roy	O'Neil	Whipple
Coon	Groat	Lewis	Pearsall	Youngman
Cottrell	Guenther	Little		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 837) entitled "An act to regulate fishing in Glen lake, Warren county," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Greene	Longley	Roesch
Adams	Crosby	Groat	Maynard	Ryan
Ainsworth	Dante	Guenther	McAdam	Saunders
Andrus	Davidson	Haffner	McCann	Savery
Baker, A. B.	Decker	Hagan	McLaughlin	Schaaff
Baker, A. H.	Demarest	Haggerty	Miley	Smith, T.
Barton	Dinehart	Harwood	Miller	Sperry

Blake	Dinkelspiel	Hughes	Moffitt	Towne
Blanchfield	Donaldson	Husted	Moody	Treadway
Blumenthal	Duffy	Kelly	Murray	Walters
Brown	Edwards	Kimball	Newschafer	Whipple
Brownell	Endres	Lane	O'Neil	Yates
Bush, R. P.	Enz	Larmon	Pearsall	Yetman
Cheney	Fitts	Lewis	Peck	Young
Clarke, C. C.	Flaherty	Little	Rhodes	Youngman
Coon	Gibbs	Loder	Rice	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 655) entitled "An act to amend section 1 of title 3 of chapter 79 of the Laws of 1886, entitled 'An act to amend the charter of the village of Edgewater'" (Rec. No. 274), having been announced for a third reading,

Mr. Yetman moved to recommit to the committee on affairs of villages.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 1236) entitled "An act to provide for the sale of the real estate of the Genesee County Agricultural Society," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Cottrell	Hayes	Maynard	Roesch
Adams	Crosby	Hitt	McAdam	Ryan
Ainsworth	Davidson	Hughes	McCann	Saunders
Andrus	Decker	Husted	McCarren	Savery
Baker, A. B.	Demarest	Kelly	McKenzie	Saxton
Baker, A. H.	Dinehart	Kent	Mead	Schaaff
Barton	Dinkelspiel	Kerrigan	Mesick	Smith, T.
Bauer	Donaldson	Kimball	Miley	Sperry
Blake	Edwards	King	Miller	Townsend
Blanchfield	Endres	Lane	Moody	Treadway
Blumenthal	Fitts	Larmon	Murray	Walters
Brown	Flaherty	Le Roy	Newschafer	Whipple
Brownell	Graham	Little	O'Neil	Yates
Bush, R. P.	Guenther	Loder	Pearsall	Yetman
Cheney	Haffner	Longley	Peck	Young
Clarke, C. C.	Hagan	Martin	Rhodes	Youngman
Coon	Haggerty			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

On motion of Mr. Saxton, and by unanimous consent, the bill (No. 744) entitled "An act to amend chapter 526 of the Laws of 1887,

entitled 'An act to relieve the towns of this State from damages sustained by persons while engaged in transporting traction engines along the highways of this State,' was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Davidson	Haggerty	McLaughlin	Saxton
Adams	Decker	Harwood	Mead	Schaaff
Ainsworth	Demarest	Hayes	Mesick	Smith, C.
Baker A. H.	Dinehart	Hughes	Miley	Smith, M. A.
Blake	Donaldson	Husted	Moffitt	Smith, T.
Blanchfield	Dunham	Kimball	Moody	Sperry
Blumenthal	Dunlap	King	Mullaney	Stevens
Brown	Endres	Lane	Murray	Tefft
Brownell	Enz	Larmon	Newschafer	Towne
Bush, R. P.	Fitts	Le Roy	O'Neil	Townsend
Clarke, C. C.	Flaherty	Little	Pearsall	Van Gorder
Comstock	Gibbs	Loder	Peck	Whipple
Cottrell	Greene	Longley	Rhodes	Yates
Cronin	Guenther	Martin	Rice	Young
Curtis	Haffner	McAdam	Saunders	Youngman
Dante	Hagan	McCann	Savery	

For the negative,

Roesch

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 982) entitled "An act to amend sections 9 and 10 of title 1 of chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,' as amended by section 5 of chapter 213 of the Laws of 1875, entitled 'An act relative to the care and education of deaf-mutes,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Crosby	Hagan	Mase	Roesch
Adams	Curtis	Haggerty	McAdam	Saunders
Ainsworth	Dante	Hayes	McCann	Savery
Andrus	Decker	Hitt	McKenzie	Saxton

Baker, A. B.	Demarest	Hornidge	McLaughlin	Schaaff
Baker, A. H.	Dinehart	Hughes	Mead	Smith, C.
Barton	Dinkelspiel	Husted	Mesick	Smith, M. A.
Bauer	Donaldson	Kelly	Miller	Sperry
Blake	Duffy	Kent	Moffitt	Stevens
Blanchfield	Dunham	Kerrigan	Moody	Sullivan
Blumenthal	Dunlap	Kimball	Murray	Tefft
Brown	Edwards	King	Newschafer	Towne
Brownell	Endres	Lane	Nixon	Townsend
Bush, R. P.	Enz	Larmon	O'Neil	Walters
Cheney	Fitts	Little	Pearsall	Whipple
Clarke, C. C.	Flaherty	Loder	Peck	Yates
Connolly	Greene	Longley	Rhodes	Youngman
Cronin	Guenther	Martin		

For the negative,
Groat

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. de Peyster, Int. No. 188, entitled "An act to amend chapter 713, Laws of 1887, entitled 'An act to amend chapter 483, Laws of 1885, entitled An act to tax gifts, legacies and collateral inheritances in certain cases,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Ainsworth moved to recommit said bill to the committee on ways and means.

On motion of Mr. Sheehan, and by unanimous consent, said bill was laid aside.

The bill (No. 590) entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,' and the acts amending the same, relating to fire districts in incorporated villages," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connolly	Haffner	Mase	Roesch
Adams	Cottrell	Hagan	Maynard	Ryan
Ainsworth	Cronin	Hamilton	McAdam	Saunders
Andrus	Dante	Harwood	McCann	Saxon
Barton	Davidson	Hayes	McCarran	Schaaff
Blake	Decker	Hughes	McKenzie	Smith, T.
Blanchfield	Donaldson	Husted	Mead	Sperry
Blumenthal	Dunham	Kelly	Mesick	Stevens

Brown	Dunlap	Kent	Moffitt	Tefft
Brownell	Edwards	Kerrigan	Moody	Townsend
Bush, G. H.	Enz	Kimball	Mullaney	Treadway
Bush, R. P.	Fitts	Lane	Nixon	Walters
Carson	Flaherty	Larmon	O'Neil	Yates
Cheney	Greene	Little	Pearsall	Yetman
Clarke, C. C.	Groat	Loder	Peck	Young
Comstock	Guenther	Longley	Rhodes	Youngman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 232) entitled "An act to authorize the audit and payment of the claim of Christian C. Hottenroth for damages to property in the city of New York" (Rec. No. 106), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Fitts	Maynard	Saunders
Adams	Cronin	Flaherty	McAdam	Savery
Ainsworth	Crosby	Hagan	McCann	Saxton
Andrus	Curtis	Hamilton	McKenzie	Schaaff
Baker, A. B.	Dante	Harwood	Mesick	Smith, C.
Barton	Davidson	Hayes	Miley	Smith, T.
Blanchfield	Decker	Hitt	Miller	Sperry
Blumenthal	Demarest	Hughes	Moody	Stevens
Brown	de Peyster	Kent	Mullaney	Tefft
Brownell	Dinehart	Kerrigan	Murray	Towne
Bush, G. H.	Dinkelspiel	Kimball	Nixon	Townsend
Bush, R. P.	Donaldson	Lane	Pearsall	Treadway
Cheney	Duffy	Little	Rhodes	Yates
Clarke, C. C.	Dunham	Longley	Roesch	Young
Comstock	Dunlap	Martin	Ryan	Youngman
Connelly	Edwards	Mase		

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1032) entitled "An act ceding jurisdiction to the United States of America over two certain pieces of land in the East river, New York, for the purpose of establishing thereon lights or other aids to navigation," having been announced for a third reading,

On motion of Mr. Townsend, and by unanimous consent, Senate bill No. 666 (Rec. No. 295), same title, was substituted for said bill and read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Flaherty	Little	Rhodes
Adams	Cottrell	Graham	Longley	Roesch
Andrus	Cronin	Greene	Mase	Ryan
Aspinall	Curtis	Groat	Maynard	Saunders
Baker, A. B.	Dante	Haffner	McAdam	Saxton
Barton	Davidson	Hagan	McCann	Schaaff
Bauer	Decker	Hamilton	McKenzie	Smith, C.
Blanchfield	Demarest	Harwood	McLaughlin	Sperry
Blumenthal	Dinehart	Hornidge	Mead	Stevens
Brown	Dinkelspiel	Hughes	Mesick	Strassburg
Brownell	Donaldson	Husted	Moffitt	Sullivan
Bush, G. H.	Duffy	Kelly	Moody	Tefft
Bush, R. P.	Dunham	Kent	Mullaney	Townsend
Cheney	Dunlap	Kimball	Newschafer	Van Gorder
Clark, J.	Edwards	Lane	Nixon	Walters
Clarke, C. C.	Enz	Larmon	O'Neil	Yetman
Comstock	Fitts	Lewis	Pearsall	Youngman
Connelly				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1033) entitled "An act to amend chapter 175 of the Laws of 1883, entitled 'An act to provide for the incorporation and regulation of coöperative or assessment life and casualty insurance associations and societies,' as amended by chapter 285 of the Laws of 1887," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Groat	Longley	Rice
Adams	Cottrell	Haffner	McAdam	Roesch
Ainsworth	Cronin	Hagan	McKenzie	Ryan
Aspinall	Crosby	Harwood	McLaughlin	Savery
Baker, A. B.	Dante	Hayes	McMaster	Saxton
Bauer	Decker	Hitt	Mead	Smith, M. A.
Blanchfield	Demarest	Hornidge	Miley	Tefft
Blumenthal	de Peyster	Hughes	Moffitt	Townsend
Brown	Donaldson	Kent	Moody	Van Gorder
Brownell	Duffy	Kimball	Mullaney	Walters
Bush, G. H.	Dunlap	King	Murray	Whipple

Bush, R. P.	Edwards	Lane	Newschafer	Yates
Cheney	Fish	Larmon	Nixon	Yetman
Clark, J.	Fitts	Lewis	O'Neil	Young
Clarke, C. C.	Flaherty	Little	Pearsall	Youngman
Comstock	Graham	Loder	Peck	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1172) entitled "An act relating to the supervision of mortgage companies," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Dante	Harwood	Mase	Rhodes
Adams	Davidson	Hitt	Maynard	Rice
Ainsworth	Decker	Hornidge	McCann	Savery
Andrus	Demarest	Hughes	McKenzie	Schaaff
Aspinall	de Peyster	Husted	McLaughlin	Sheehan
Baker, A. B.	Donaldson	Kelly	McMaster	Smith, T.
Blake	Dunham	Kent	Mesick	Sperry
Blanchfield	Dunlap	Kerrigan	Miley	Stevens
Blumenthal	Fitts	Kimball	Miller	Tefft
Brownell	Flaherty	King	Moffitt	Townsend
Bush, R. P.	Gallup	Lane	Moody	Treadway
Carson	Graham	Larmon	Mullaney	Van Gorder
Cheney	Greene	Lewis	Murray	Walters
Clarke, C. C.	Groat	Little	Nixon	Yates
Comstock	Haffner	Loder	Pearsall	Young
Cottrell	Haggerty	Longley	Peck	

For the negative,

Roesch

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1106) entitled "An act to repeal chapter 170 of the Laws of 1866, and the acts amendatory thereof and supplementary thereto, relative to the village of Montezuma," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
 { NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Fitts	Little	Savery
Aspinall	Cottrell	Flaherty	Longley	Saxton
Baker, A. B.	Cronin	Graham	Maynard	Sheehan
Baker, A. H.	Curtis	Greene	McCann	Sheldon
Barton	Dante	Groat	McKenzie	Smith, C.
Bauer	Davidson	Guenther	Mesick	Smith, T.
Blanchfield	Decker	Haffner	Miley	Sperry
Blumenthal	Demarest	Hamilton	Moffitt	Stevens
Brown	de Peyster	Harwood	Moody	Tefft
Brownell	Dinehart	Hayes	Mullaney	Towne
Bush, R. P.	Dinkelspiel	Hughes	Pearsall	Treadway
Carson	Donaldson	Husted	Peck	Walters
Cheney	Dunham	Kelly	Rice	Yates
Clark, J.	Edwards	Lane	Roesch	Young
Clarke, C. C.	Endres	Larmon	Ryan	Youngman
Comstock	Fish	Lewis	Saunders	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1038) entitled "An act for the relief of the Utica Belt Line Street Railroad Company," having been announced for a third reading,

On motion of Mr. Kent, and by unanimous consent, Senate bill No. 605 (Rec. No. 289), same title, was substituted for said bill and read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
 { NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Hamilton	McCarren	Saunders
Adams	Demarest	Harwood	McKenzie	Savery
Ainsworth	Dinkelspiel	Hayes	McLaughlin	Schaaff
Baker, A. B.	Donaldson	Hughes	Mead	Sheldon
Barton	Dunham	Kelly	Miley	Smith, C.
Bauer	Dunlap	Kent	Moffitt	Smith, M. A.
Blanchfield	Edwards	King	Moody	Smith, T.
Blumenthal	Endres	Lane	Mullaney	Sullivan
Brown	Enz	Larmon	Newschafer	Tefft
Clark, J.	Fish	Lewis	Nixon	Towne
Clarke, C. C.	Fitts	Little	O'Neil	Townsend
Comstock	Flaherty	Martin	Pearsall	Treadway
Connelly	Greene	Mase	Peck	Walters
Cronin	Groat	Maynard	Rice	Yates

Curtis	Guenther	McAdam	Roesch	Young
Dante	Haffner	McCann	Ryan	Youngman
Davidson	Haggerty			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Hagan offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 1191, entitled "An act to amend chapter 582 of the Laws of 1880, entitled 'An act to provide for excavating for transportation purposes within villages and cities of this State,'" now on the order of third reading, be read the third time to-morrow morning.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Mase introduced a bill entitled "An act to amend chapter 192 of the Laws of 1886, entitled, as amended by chapter 545 of the Laws of 1887, 'An act providing for the appointment of commissioners to determine the best method of providing additional accommodations for and the expediency of providing farming lands for the occupation of insane criminals, and to provide for the selection and purchase of a site and the erection of suitable buildings'" (Int. No. 1247), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Mase, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

The Senate bill (Rec. No. 341) entitled "An act in relation to the board of the Congregation Ahawath Chesed, in the city of New York," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Curtis	Haffner	Mase	Ryan
Baker, A. B.	Demarest	Hamilton	Maynard	Saunders
Baker, A. H.	de Peyster	Harwood	McAdam	Savery
Barton	Dinkelspiel	Hayes	McCann	Saxton
Blake	Donaldson	Hornidge	McKenzie	Schaaff
Blanchfield	Duffy	Hughes	McLaughlin	Sheehan
Blumenthal	Dunham	Husted	Mead	Smith, C.
Brown	Dunlap	Kelly	Miley	Smith, M. A.
Bush, R. P.	Endres	Kent	Moffitt	Smith, T.
Carson	Fish	King	Moody	Van Gorder
Cheney	Fitts	Lane	Murray	Walters
Clark, J.	Flaherty	Larmon	Newschafer	Yates
Clarke, C. C.	Gibbs	Lewis	Nixon	Yetman
Comstock	Graham	Little	O'Neil	Young

Connelly	Greene	Loder	Peck	Youngman
Cottrell	Groat	Longley		

For the negative,
Cronin

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 670) entitled "An act to amend section 1341 of the Code of Civil Procedure, relating to limitation of time and security on appeal," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Graham	Little	Rice
Adams	Curtis	Greene	Loder	Roesch
Ainsworth	Davidson	Groat	Longley	Saunders
Aspinall	Decker	Guenther	Maynard	Savery
Baker, A. B.	Demarest	Haffner	McAdam	Saxton
Baker, A. H.	de Peyster	Hagan	McCann	Sheehan
Barton	Dinehart	Hamilton	McCarren	Smith, C.
Blake	Dinkelspiel	Harwood	McKenzie	Smith, M. A.
Blanchfield	Donaldson	Hitt	Mead	Smith, T.
Blumenthal	Duffy	Hughes	Miley	Sperry
Brownell	Dunlap	Husted	Miller	Tefft
Bush, R. P.	Edwards	Kelly	Moffitt	Townsend
Carson	Endres	Kent	Moody	Treadway
Cheney	Enz	King	Murray	Walters
Clarke, C. C.	Fish	Lane	Pearsall	Yates
Comstock	Fitts	Larmon	Peck	Youngman
Connelly	Flaherty	Lewis		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 635) entitled "An act in relation to the assessment-roll of the town of Oswegatchie, in the county of St. Lawrence" (Rec. No. 269), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Hamilton	McAdam	Savery
Adams	Davidson	Harwood	McCann	Saxton
Ainsworth	Decker	Hayes	McCarren	Schaaff

Andrus	Demarest	Hitt	McKenzie	Smith, C.
Baker, A. B.	de Peyster	Hughes	Mead	Smith, M. A.
Baker, A. H.	Dinehart	Husted	Mesick	Smith, T.
Barton	Dinkelspiel	Kelly	Miller	Sperry
Bauer	Duffy	Kent	Moffitt	Stevens
Blake	Dunlap	Kimball	Moody	Sullivan
Blanchfield	Edwards	King	Nixon	Towne
Brown	Endres	Lane	Pearsall	Treadway
Brownell	Gallup	Larmon	Peck	Van Gorder
Carson	Graham	Le Roy	Rice	Walters
Clark, J.	Greene	Little	Roesch	Yates
Comstock	Groat	Loder	Ryan	Yetman
Connelly	Guenther	Longley	Saunders	Youngman
Cottrell	Haffner	Maynard		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 634) entitled "An act to amend chapter 28 of the Laws of 1882, entitled 'An act for the support of the poor in the town of Oswegatchie, in the county of St. Lawrence'" (Rec. No. 270), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Harwood	Maynard	Savery
Andrus	Dante	Hayes	McAdam	Saxton
Aspinall	Davidson	Hitt	McCann	Sheehan
Baker, A. B.	Decker	Hornidge	McCarren	Smith, C.
Baker, A. H.	Demarest	Hughes	McKenzie	Smith, M. A.
Barton	de Peyster	Husted	McLaughlin	Smith, T.
Bauer	Dinehart	Kelly	Mead	Sperry
Blake	Dinkelspiel	Kent	Mesick	Stevens
Blanchfield	Dunham	Kimball	Miley	Tefft
Blumenthal	Dunlap	King	Miller	Towne
Brownell	Endres	Lane	Moffitt	Townsend
Bush, R. P.	Enz	Larmon	Moody	Treadway
Carson	Graham	Le Roy	Mullaney	Walters
Clark, J.	Greene	Lewis	Nixon	Whipple
Comstock	Guenther	Little	Pearsall	Yates
Connelly	Haffner	Loder	Roesch	Young
Cottrell	Haggerty	Longley	Ryan	Youngman
Cronin	Hamilton	Mase	Saunders	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1045) entitled "An act to amend section 3 of chapter 180 of the Laws of 1845, entitled 'An act to reduce the number of

town officers and town and county expenses, and to prevent abuses in auditing town and county accounts," having been announced for a third reading,

On motion of Mr. Little, and by unanimous consent, the same was laid aside.

The bill (No. 1046) entitled "An act to amend chapter 555, Laws of 1864, entitled "An act to revise and consolidate the general acts relating to public instruction," and acts amendatory thereof, relating to collectors' returns of uncollected taxes," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Fish	Lewis	Roesch
Andrus	Cottrell	Fitts	Loder	Ryan
Aspinall	Curtis	Groat	Longley	Saunders
Baker, A. B.	Dante	Haffner	Maynard	Savery
Baker, A. H.	Decker	Haggerty	McAdam	Saxton
Barton	Demarest	Hamilton	McCann	Schaaff
Bauer	de Peyster	Harwood	McKenzie	Smith, T.
Blanchfield	Dinehart	Hayes	McLaughlin	Tefft
Blumenthal	Dinkelspiel	Hughes	Mead	Towne
Brown	Donaldson	Kelly	Mesick	Van Gorder
Brownell	Duffy	Kent	Miley	Walters
Bush, R. P.	Dunham	Kerrigan	Moffitt	Whipple
Carson	Dunlap	Kimball	Moody	Yates
Cheney	Edwards	Lane	Nixon	Yetman
Clark, J.	Endres	Larmon	Pearsall	Young
Comstock	Enz	Le Roy	Rice	Youngman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1047) entitled "An act to amend section 10 of article 1 of title 3, chapter 13, part 1 of the Revised Statutes, relating to officers before whom oaths may be made in certain cases," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Davidson	Haffner	Longley	Ryan
Adams	Decker	Haggerty	Martin	Saunders
Ainsworth	Demarest	Harwood	Mase	Savery
Andrus	de Peyster	Hayes	Maynard	Smith, M. A.

Baker, A. B.	Dinehart	Hornidge	McCann	Smith, T.
Barton	Dinkelspiel	Hughes	McCarren	Sperry
Bauer	Donaldson	Kelly	McLaughlin	Stevens
Blake	Duffy	Kent	Mesick	Tefft
Blanchfield	Dunlap	Kimball	Moffitt	Towne
Blumenthal	Endres	King	Moody	Van Gorder
Brown	Enz	Lane	Mullaney	Walters
Brownell	Fish	Larmon	Murray	Whipple
Bush, G. H.	Gibbs	Le Roy	Newschafer	Yates
Cheney	Graham	Lewis	Pearsall	Yetman
Cottrell	Greene	Little	Rhodes	Young
Curtis	Guenther	Loder	Roesch	Youngman
Dante				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 369) entitled "An act to amend section 308 of the Penal Code, relative to the dissecting of human bodies" (Rec. No. 147), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Graham	Longley	Rice
Adams	Cottrell	Guenther	Martin	Roesch
Ainsworth	Crosby	Haffner	Maynard	Ryan
Aspinall	Curtis	Hagan	McAdam	Saunders
Baker, A. B.	Dante	Haggerty	McCann	Saxton
Barton	Davidson	Harwood	McCarren	Schaaff
Bauer	Decker	Hitt	McKenzie	Smith, M. A.
Blake	Demarest	Hughes	Mead	Stevens
Blanchfield	Dinehart	Husted	Mesick	Tefft
Blumenthal	Dinkelspiel	Kelly	Miley	Townsend
Brown	Duffy	Kimball	Moffitt	Treadway
Brownell	Dunham	Lane	Moody	Walters
Bush, G. H.	Dunlap	Larmon	Murray	Whipple
Cheney	Edwards	Le Roy	Newschafer	Yates
Clark, J.	Endres	Lewis	Nixon	Yetman
Clarke, C. C.	Fitts	Little	O'Neil	Young
Comstock	Gibbs	Loder	Pearsall	Youngman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (Rec. No. 346) entitled "An act to prevent the sale and delivery of adulterated wheat in the markets of this State," having been announced for a third reading,

On motion of Mr. Andrus, and by unanimous consent, the following amendment previously offered by him to-day was withdrawn:

Section 1, line 6, engrossed bill, strike out the word "sixty" and insert the word "fifty-six."

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 74 }
{ NOES 19 }

Those who voted in the affirmative, were

Ainsworth	de Peyster	Harwood	Mead	Schaaff
Andrus	Dinehart	Hayes	Mesick	Smith, C.
Baker, A. H.	Dinkelspiel	Hitt	Miley	Smith, M. A.
Bauer	Donaldson	Hornidge	Moody	Smith, T.
Blake	Dunlap	Husted	Mullaney	Sperry
Blanchfield	Endres	Kelly	Murray	Stevens
Carson	Fish	Kerrigan	Newschafer	Sullivan
Clark, J.	Fitts	King	Nixon	Tefft
Clarke, C. C.	Flaherty	Lewis	O'Neil	Towne
Connelly	Gibbs	Little	Pearsall	Townsend
Cottrell	Graham	Longley	Peck	Treadway
Cronin	Groat	Maynard	Rhodes	Whipple
Curtis	Guenther	McCann	Rice	Yates
Decker	Haffner	McCarren	Roesch	Yetman
Demarest	Haggerty	McKenzie	Saunders	

Those who voted in the negative, were

Acker	Brownell	Edwards	Loder	Ryan
Adams	Comstock	Enz	Martin	Savery
Aspinall	Crosby	Greene	McAdam	Young
Brown	Davidson	Kent	McMaster	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1048) entitled "An act making an appropriation for the construction of a lift or hoist bridge over the Erie canal, to take the place of the bridge known as the Church street bridge in the city of Schenectady," was read the third time.

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Harwood	McKenzie	Saxton
Adams	Davidson	Hughes	McLaughlin	Sheehan
Ainsworth	Decker	Husted	McMaster	Smith, M. A.
Andrus	Demarest	Kent	Mead	Smith, T.
Baker, A. B.	Dinehart	Kerrigan	Miley	Sperry

Baker, A. H.	Donaldson	King	Moffitt	Stevens
Barton	Duffy	Le Roy	Moody	Tefft
Blake	Dunlap	Little	Mullaney	Towne
Blanchfield	Edwards	Loder	Nixon	Townsend
Blumenthal	Endres	Longley	Pearsall	Treadway
Bush, R. P.	Fish	Martin	Peck	Upson
Carson	Greene	Mase	Rice	Walters
Cheney	Groat	Maynard	Roesch	Whipple
Clarke, C. C.	Guenther	McAdam	Ryan	Yates
Connelly	Haffner	McCann	Saunders	Young
Coon	Haggerty	McCarren	Savery	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1049) entitled "An act to amend chapter 557 of the Laws of 1887, entitled 'An act to authorize the park commissioners of the city of Buffalo to select and locate such ground as may be deemed desirable for park purposes in the Thirteenth ward of said city, and in the town of West Seneca, Erie county,'" having been announced for a third reading,

On motion of Mr. Sheehan, and by unanimous consent, the same was amended by striking out all of section 1 and changing numbers of remaining sections to correspond.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Flaherty	Maynard	Sheehan
Adams	Crosby	Gallup	McLaughlin	Smith, C.
Andrus	Dante	Greene	McMaster	Smith, M. A.
Aspinall	Davidson	Groat	Mead	Smith, T.
Baker, A. B.	Decker	Guenther	Moffitt	Sperry
Barton	Demarest	Hamilton	Moody	Stevens
Blake	de Peyster	Harwood	Mullaney	Sullivan
Blanchfield	Dinehart	Hughes	Murray	Tefft
Blumenthal	Dinkelspiel	Kent	Nixon	Treadway
Brownell	Duffy	King	Peck	Van Gorder
Bush, G. H.	Dunham	Lane	Rhodes	Walters
Bush, R. P.	Dunlap	Larmon	Roesch	Whipple
Carson	Edwards	Le Roy	Saunders	Yates
Cheney	Endres	Lewis	Savery	Yetman
Clark, J.	Enz	Loder	Saxton	Young
Comstock	Fitts	Longléy	Schaaff	Youngman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (Rec. No. 40) entitled "An act to amend chapter 519

of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,' and the acts amendatory thereof," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, three-fifths being present.

{ AYES 77 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Coon	Haffner	McMaster	Saxton
Ainsworth	Cottrell	Hamilton	Mead	Sheehan
Andrus	Cronin	Harwood	Mesick	Smith, C.
Aspinall	Davidson	Hayes	Miley	Smith, M. A.
Baker, A. B.	Decker	Hornidge	Moffitt	Smith, T.
Barton	Demarest	Hughes	Mullaney	Sperry
Bauer	Dinehart	Husted	Newschafer	Stevens
Blanchfield	Duffy	Kent	Nixon	Sullivan
Blumenthal	Dunham	Lane	Pearsall	Tefft
Brownell	Dunlap	Le Roy	Peck	Towne
Bush, R. P.	Endres	Lewis	Rice	Townsend
Carson	Enz	Little	Roesch	Van Gorder
Cheney	Gibbs	Loder	Ryan	Whipple
Clarke, C. C.	Greene	Longley	Saunders	Yates
Comstock	Groat	McLaughlin	Savery	Yetman
Connelly	Guenther			

For the negative,

Edwards

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the following entitled bill:

"An act to provide for and regulate the investment of corporate funds" (Rec. No. 396), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance, with power to report at any time.

The bill (No. 675) entitled "An act to amend chapter 519 of the of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,' and the acts amendatory thereof," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Haggerty	McCann	Schaaff
Adams	Cottrell	Hamilton	McCarren	Sheehan
Ainsworth	Davidson	Hitt	McKenzie	Smith, C.

Andrus	Decker	Hornidge	McLaughlin	Smith, T.
Aspinall	Demarest	Hughes	Mead	Sperry
Baker, A. B.	Dinehart	Husted	Mesick	Stevens
Baker, A. H.	Dinkelspiel	Kelly	Miley	Sullivan
Barton	Duffy	Kent	Moffitt	Tefft
Bauer	Dunlap	Kerrigan	Moody	Towne
Blake	Edwards	Kimball	Mullaney	Townsend
Blanchfield	Endres	King	Newschafer	Treadway
Blumenthal	Enz	Lane	Nixon	Van Gorder
Brown	Fitts	Larmon	Pearsall	Whipple
Carson	Gibbs	Le Roy	Roesch	Yates
Cheney	Graham	Lewis	Saunders	Yetman
Clark, J.	Groat	Little	Savery	Young
Clarke, C. C.	Guenther	McAdam	Saxton	Youngman
Connelly	Haffner			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Mase, and by unanimous consent, the bill (Int. No. 1247) entitled "An act to amend chapter 192 of the Laws of 1886, entitled, as amended by chapter 545 of the Laws of 1887, 'An act providing for the appointment of commissioners to determine the best method of providing additional accommodations for and the expediency of providing farming lands for the occupation of insane criminals, and to provide for the selection and purchase of a site, and the erection of suitable buildings,'" now on the order of third reading, was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 75 }
{ NOES 6 }

Those who voted in the affirmative, were

Acker	Cottrell	Enz	Le Roy	Rice
Ainsworth	Cronin	Fitts	Little	Roesch
Andrus	Curtis	Gibbs	Loder	Saunders
Aspinall	Dante	Greene	Longley	Savery
Baker, A. B.	Davidson	Guenther	Martin	Saxton
Bauer	Decker	Haggerty	Mase	Schaaff
Blanchfield	Demarest	Hamilton	McCann	Smith, T.
Blumenthal	de Peyster	Hayes	McMaster	Sperry
Brown	Dinehart	Hitt	Mead	Towne
Bush, R. P.	Dinkelspiel	Hornidge	Moffitt	Townsend
Carson	Donaldson	Hughes	Moody	Treadway
Cheney	Duffy	Husted	Murray	Walters
Clark, J.	Dunlap	Kimball	Newschafer	Yates
Clarke, C. C.	Edwards	King	Nixon	Yetman
Connelly	Endres	Lane	Rhodes	Youngman

Those who voted in the negative, were

Haffner	Pearsall	Smith, C.	Smith, M. A.	Van Gorder
Kent				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate returned the bill entitled "An act to authorize the construction of sewers in the village of Tonawanda, county of Erie, and to repeal chapter 229 of the Laws of 1886, entitled 'An to authorize the construction of sewers in the village of Tonawanda, in the town of Tonawanda, county of Erie and State of New York'" (No. 86), with a message that they have concurred in the passage of the same as amended.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

"An act to extend the time for the completion of the Schenectady Albany and North Adams Railroad." (Int. No. 1246.)

"An act to authorize the Board of Claims to hear, audit and determine the claims against the State, of certain owners of water power rights and privileges on the Oswego and Seneca rivers, for damages growing out of the action of the State in lowering the bed of Seneca river, at and above Jack's Reefs, and to make awards therefor." (No. 246.)

"An act to amend chapter 101 of the Laws of 1883, entitled 'An act to amend chapter 238 of the Laws of 1871, entitled An act to provide for the payment of a crier and attendants of the Court of Appeals.'" (No. 931.)

"An act to amend chapter 282 of the Laws of 1887, entitled 'An act to further amend chapter 75 of the Laws of 1878, entitled An act in relation to the bonded indebtedness of villages, cities, towns and counties,' as amended by chapter 317 of the Laws of 1878, and by chapter 244 of the Laws of 1884." (No. 1158.)

"An act to authorize the common council of the city of Yonkers, to empower the board of education in said city to borrow money to pay for materials and work upon certain of its school premises." (No. 934.)

"An act to legalize the action of the town meeting of the town of Phelps, in the county of Ontario, in voting an appropriation for a centennial monument, and to authorize the raising of an additional amount by tax." (No. 868.)

"An act to provide for the construction of an iron highway bridge over the canal at Main street, in the village of Newark, Wayne county, and making an appropriation therefor." (No. 817.)

"An act to amend chapter 570 of the Laws of 1888, entitled 'An act establishing a board of improvement and defining its powers and duties, and to provide for lighting the streets and other places in the town of New Utrecht, in the county of Kings.'" (No. 1168.)

"An act to amend section 259 of the Code of Civil Procedure, relating to the salary of stenographers in the Fifth judicial district." (No. 916.)

"An act ratifying and confirming a resolution passed by the board of supervisors of Onondaga county, authorizing the county treasurer of said county to borrow certain moneys." (No. 1205.)

"An act providing for the distribution of moneys paid heretofore and hereafter to be paid into the treasury for the promotion of agriculture and for other purposes, and reappropriating certain money undistributed." (No. 408.)

"An act to provide for the construction and maintenance of a system of sewers in the city of Hornellsville." (No. 1200.)

"An act to authorize the purchase of the land known as the Indian Mound in the town of Geneva and county of Ontario." (No. 1010.)

"An act to amend chapter 181 of the Laws of 1875, entitled 'An act to authorize the villages of the State of New York to furnish pure and wholesome water to the inhabitants thereof,' and the acts amendatory thereof relating to bonds of water commissioners." (No. 352.)

"An act further to amend chapter 542 of the Laws of 1880, entitled 'An act to provide for raising taxes for the use of the State upon certain corporations, joint-stock companies and associations,' and the acts amendatory thereof." (No. 820.)

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Curtis offered for the consideration of the House a resolution, in the words following:

Resolved, That the death, on the eleventh instant, in his ninetieth year, of Henry A. Foster, of Oneida county, calls for an expression by the members of this House of the high esteem in which he was held during life and the affectionate regard with which his memory will be cherished by the people of the State. He served with dignity and marked ability in important official positions for a term of nearly fifty years. He was elected surrogate in 1827; elected State Senator in 1831, serving two terms; again elected surrogate in 1835; elected to Congress in 1837; again elected State Senator in 1841, serving two terms; appointed United States Senator in November, 1844, to succeed Silas Wright; appointed United States district attorney for the northern district of New York in 1853; elected Justice of the Supreme Court in 1863, establishing a character for probity and unimpeachable integrity as distinguished as his official life was long.

Resolved, As a further mark of respect to his memory, that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said resolution, and it was unanimously adopted by a rising vote.

Whereupon, the House adjourned.

WEDNESDAY, MAY 15, 1889.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Wm. S. Smart.

The journal of yesterday was read and approved.

Mr. Hornidge, speaking to a question of privilege, said:

Mr. Speaker, I find, in looking over the newspaper reports this morning, that my name has not been recorded on the vote in reference to the report of the ceiling investigating committee. I wish to state that I was present, and voted in the negative, and I would like to be so recorded on the journal.

On motion of Mr. Husted, and by unanimous consent, Senate bill (No. 135) entitled "An act to amend chapter 536 of the Laws of 1888, entitled 'An act to amend chapter 474 of the Laws of 1885, entitled

An act to amend chapter 267 of the Laws of 1875, entitled An act for the incorporation of societies or clubs for certain lawful purposes ' ' (Rec. No. 115), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Fitts	Loder	Saxton
Adams	Crosby	Gibbs	Martin	Schaaff
Ainsworth	Curtis	Greene	McCann	Smith, M. A.
Aspinall	Dante	Haffner	McCarren	Smith, T.
Baker, A. B.	Davidson	Hagan	McKenzie	Sperry
Baker, A. H.	Decker	Haggerty	McLaughlin	Stevens
Bauer	Demarest	Hamilton	Mead	Strassburg
Blake	de Peyster	Hayes	Moody	Tefft
Blanchfield	Dinehart	Hitt	Mullaney	Townsend
Blumenthal	Dinkelspiel	Hughes	Murray	Van Gorder
Brownell	Donaldson	Husted	Newschafer	Walters
Carson	Duffy	Kelly	Nixon	Whipple
Cheney	Dunham	Kent	Pearsall	Yates
Clarke, C. C.	Dunlap	Kimball	Peck	Yetman
Comstock	Edwards	Lane	Rhodes	Young
Connelly	Endres	Larmon	Rice	Youngman
Coon	Fish	Lewis	Ryan	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill entitled "An act to authorize the city of Cohoes to acquire and pay for lands necessary for altering, straightening and widening Saratoga street in said city, between Spring street and Main street" (No. 611), with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, lines 9 and 10, strike out the words "upon the owners of the property benefited thereby and."

Section 2, lines 8, 9, and 10, strike out the words "one-half thereof upon the owners of the property benefited by the change in said street and one-half."

Same section, line 15, strike out the word "two" and insert the word "one."

Same section, line 16, change the word "newspapers" to "newspaper."

Add at the end of section 2 the following:

"Any taxpayers of said city of Cohoes shall have the right to appear and be heard, on such application for the appointment of such commissioners."

Section 6, line 6, strike out the word "two" and insert the word "one," and change the word "newspapers" to "newspaper."

Same section, line 10, after the word "parties" insert the words

"and such as may be offered by the city of Cohoes, or any taxpayer thereon or thereof, and by the city attorney."

Same section, line 11, after the word "writing" insert the words "the city attorney shall appear for and conduct all proceedings for and in behalf of said city, with liberty to introduce such proof, evidence, and testimony as he may deem proper."

Add at the end of section 6 the following:

"The compensation of such commissioners shall not exceed the sum of six dollars per day for each day actually engaged and spent in the hearing of the testimony. No other compensation shall be allowed them."

Section 7, line 3, strike out the word "two" and insert the word "one," and change the word "newspapers" to "newspaper."

Add at the end of section 7 the following:

"Any taxpayers of said city of Cohoes shall have also the right and authority to appeal from such order, such appeal to be taken and conducted in the same manner."

Section 10, line 4, strike out the words "assessors of the."

Same section, line 5, strike out the words "said assessors" and insert the words "common council."

Same section, line 11, strike out the word "assessors" and insert the words "common council."

Same section, lines 12, 13, 14 and 15, strike out the words "one-half thereof upon the owners of the real estate by said assessors deemed to be benefited according to the respective benefits, and one-half thereof upon."

Section 11, line 13, strike out the words "it is" and insert the words "if such amount is collected it shall be."

Same section, line 16, strike out the word "assessors" and insert the words "common council."

Same section, line 17, after the word "award" insert the words "such certificate can only be paid from moneys collected from said board of education."

Same section, line 25, strike out the words "then remaining unpaid" and insert the words "which shall be paid upon said assessment."

Same section, same line, strike out all after the word "cease" down to and including the word "payment" in line 31.

Add as section 19 the following:

"§ 19. All that part of Saratoga street as now used, not taken for the altering, straightening and widening of said street, shall belong to and be the property of the city of Cohoes, in fee simple, and can, on two weeks public notice by the common council of said city, be by it sold at public auction to the highest bidder. The amount realized from such sale to be credited in reduction of the assessment heretofore mentioned."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Gibbs	Loder	Savery
Adams	Cronin	Greene	Longley	Saxton
Ainsworth	Crosby	Groat	Martin	Schaaff
Andrus	Curtis	Guenther	McAdam	Smith, M. A.
Aspinall	Dante	Haggerty	McCann	Sperry
Baker, A. B.	Davidson	Hamilton	McKenzie	Stevens
Baker, A. H.	Decker	Harwood	McLaughlin	Strassburg
Barton	Demarest	Hayes	Mead	Sullivan
Bauer	Dinkelspiel	Hughes	Moffitt	Tefft
Blake	Donaldson	Husted	Moody	Townsend
Blanchfield	Duffy	Kelly	Murray	Treadway
Blumenthal	Dunham	Kent	Newschafer	Van Gorder
Bush, R. P.	Dunlap	Kimball	Nixon	Walters
Cheney	Edwards	Lane	O'Neil	Whipple
Clark, J.	Endres	Larmon	Pearsall	Yates
Clarke, C. C.	Fish	Le Roy	Roesch	Yetman
Comstock	Fitts	Lewis	Ryan	Young
Connelly	Flaherty	Little	Saunders	Youngman
Coon				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

A message from the Senate was received and read, in the words following:

IN SENATE, *May 14, 1889.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill Rec. No. 321, entitled "An act to amend section 1721 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in so far as the same regulates the construction of buildings in said city."

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. Ives, and by unanimous consent, the same was amended as follows:

Page 2, line 7, engrossed bill, after the word "localities" insert the words "under such condition as the fire department of said city may prescribe, including location."

And, as amended, passed, reëngrossed and ordered to be sent to the Assembly for concurrence.

By order.

JOHN S. KENYON, *Clerk.*

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

MAY 15.]

1919

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Flaherty	Longley	Schaaff
Adams	Coon	Gibbs	Martin	Sheehan
Ainsworth	Cronin	Guenther	Maynard	Smith, M. A.
Andrus	Crosby	Haffner	McAdam	Sperry
Aspinall	Dante	Hagan	McCann	Stevens
Baker, A. B.	Davidson	Haggerty	McCarren	Strassburg
Baker, A. H.	Decker	Hitt	Mead	Tefft
Barton	Demarest	Hughes	Moody	Towne
Bauer	Dinehart	Husted	Newschafer	Townsend
Blake	Dinkelspiel	Kelly	Nixon	Treadway
Blanchfield	Donaldson	Kent	Pearsall	Van Gorder
Blumenthal	Duffy	Kimball	Peck	Walters
Brown	Dunlap	Lane	Roesch	Whipple
Bush, R. P.	Edwards	Larmon	Ryan	Yates
Carson	Endres	Le Roy	Saunders	Yetman
Cheney	Enz	Little	Savery	Young
Clarke, C. C.	Fish	Loder	Saxton	Youngman
Comstock	Fitts			

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Greene	Longley	Savery
Adams	Dante	Groat	McAdam	Saxton
Ainsworth	Davidson	Guenther	McCann	Schaaff
Andrus	Decker	Haffner	McCarren	Smith, M. A.
Aspinall	Demarest	Haggerty	McKenzie	Stevens
Baker, A. B.	Dinehart	Hayes	Mead	Strassburg
Baker, A. H.	Dinkelspiel	Hornidge	Mesick	Tefft
Barton	Duffy	Hughes	Moffitt	Towne
Bauer	Dunlap	Kelly	Moody	Treadway
Blake	Edwards	Kimball	Newschafer	Van Gorder
Blanchfield	Endres	Lane	Nixon	Walters
Bush, R. P.	Enz	Larmon	O'Neil	Whipple
Carson	Fish	Le Roy	Pearsall	Yates
Cheney	Fitts	Lewis	Roesch	Yetman
Clarke, C. C.	Gibbs	Little	Ryan	Young
Comstock	Graham	Loder	Saunders	Youngman
Connelly				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

The Senate returned the bill entitled "An act to secure to children the benefits of an elementary education, and making an appropriation therefor" (No. 548), with a message that they have concurred in the passage of the same, with the following amendment:

Section 4, lines 9, 10 and 11, strike out the words "during all the time that the public schools in the city or districts of their residence are in session."

Mr. Sheehan moved that said bill be committed to the committee on public education with power to report at any time.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate sent for concurrence the following entitled bills:

"An act requiring the printing, binding and distribution of 500 copies of the Legislative Record for the session of 1889" (Rec. No. 397), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Ainsworth, and by unanimous consent, said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Creamer	Graham	Kimball	Miller
Adams	Cronin	Greene	Lane	Newschafer
Ainsworth	Crosby	Groat	Larmon	Nixon
Andrus	Curtis	Guenther	Le Roy	Pearsall
Aspinall	Davidson	Haffner	Little	Peck
Baker, A. B.	Decker	Hagan	Loder	Ryan
Baker, A. H.	Demarest	Haggerty	Longley	Saunders
Barton	Dinehart	Hamilton	Martin	Schaaff
Bauer	Donaldson	Harwood	Maynard	Smith, M. A.
Blake	Duffy	Hayes	McAdam	Smith, T.
Blanchfield	Dunlap	Hornidge	McCann	Strassburg
Blumenthal	Edwards	Hughes	McCarren	Towne
Carson	Endres	Husted	McKenzie	Whipple
Clark, J.	Fitts	Kelly	McLaughlin	Yates
Clarke, C. C.	Flaherty	Kent	Mead	Youngman
Cottrell	Gibbs	Kerrigan		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to regulate the commitment and discharge of certain prisoners, tramps and vagrants in Columbia county, and to prescribe the effect thereof; to provide for the support of the prisoners in the jail in the city of Hudson, and to fix the duties and compensation of the sheriff of said county and of certain employes in the jail in said county" (Rec. No. 375), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Dinehart, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

"An act to amend section 1 of title 2 of chapter 13 of part 1 of the Revised Statutes, entitled 'Of the assessment and collection of taxes'" (Rec. No. 377), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Rhodes, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

"An act to amend chapter 95 of the Laws of 1889, entitled 'An act to authorize the formation of corporations for the establishment and maintenance of hospitals, infirmaries, dispensaries and homes for invalids or aged or indigent persons'" (Rec. No. 378), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Bauer, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

"An act to authorize and empower the city of Rochester to acquire lands, waterways, ponds or streams, in the city of Rochester, or in any of the towns adjoining said city, or any easement, either perpetual or for a term of years, in any such lands, waterways, ponds or streams, for the purpose of drainage and sewerage" (Rec. No. 379), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to amend chapter 368 of the Laws of 1865, entitled 'An act for the incorporation of societies or clubs for certain social and recreative purposes,' as amended by chapter 645 of the Laws of 1887" (Rec. No. 380), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Roesch, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Guenther	Martin	Schaaff
Ainsworth	Curtis	Haffner	McAdam	Sheehan
Andrus	Dante	Haggerty	McCann	Smith, T.
Aspinall	Davidson	Hughes	McCarren	Sperry
Baker, A. B.	Demarest	Husted	McKenzie	Stevens
Baker, A. H.	Duffy	Kelly	McLaughlin	Sullivan
Barton	Dunham	Kent	Murray	Tefft
Bauer	Dunlap	Kerrigan	Newschafer	Towne
Blake	Edwards	Kimball	Nixon	Van Gorder
Blanchfield	Endres	King	Pearsall	Walters
Brownell	Enz	Lane	Roesch	West
Bush, R. P.	Fish	Larmon	Ryan	Whipple
Cheney	Fitts	Le Roy	Saunders	Yetman

Clark, J.	Flaherty	Lewis	Savery	Young
Clarke, C. C.	Gallup	Little	Saxton	Youngman
Cottrell	Greene	Longley		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to authorize the issue of bonds of the city of Rochester to pay for an additional water supply" (Rec. No. 381), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Bauer, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

"An act to amend chapter 419 of the Laws of 1864, entitled 'An act requiring officers of scientific and eleemosynary institutions to make annual reports' (Rec. No. 382), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Rhodes, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

"An act to amend subdivision 14 of section 194 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' with respect to the Hebrew Sheltering Guardian Society" (Rec. No. 383), which was read the first time, and by unanimous consent, was also read the second time.

On motion of Mr. Blumenthal, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

"An act to amend sections 2990, 2991, 2993, 2995, 2996 and 2997 of the Code of Civil Procedure, relative to jurors in justices' courts" (Rec. No. 384), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Saxton, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Connelly	Enz	Lane	Pearsall
Ainsworth	Coon	Graham	Larmon	Peck
Andrus	Cottrell	Greene	Le Roy	Ryan
Aspinall	Cronin	Groat	Lewis	Schaaff
Baker, A. B.	Crosby	Guenther	Little	Smith, C.
Baker, A. H.	Curtis	Haffner	Loder	Smith, M. A.
Barton	Dante	Hagan	Longley	Sperry
Bauer	Davidson	Hamilton	Maynard	Stevens
Blake	Dinehart	Hayes	McAdam	Tefft
Blanchfield	Dinkelspiel	Hitt	McCann	Treadway
Blumenthal	Donaldson	Hornidge	McCarren	Upson
Brown	Duffy	Hughes	McLaughlin	Walters

Carson	Dunham	Husted	Moody	Yates
Cheney	Dunlap	Kelly	Murray	Yetman
Clarke, C. C.	Edwards	Kent	Nixon	Youngman
Comstock	Endres	Kimball		

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Saxton, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. McNaughton, Int. No. 354, entitled "An act to amend sections 649, 655 and 677 of the Code of Civil Procedure, relating to attachments," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

On motion of Mr. Saxton, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Graham	Martin	Saxton
Adams	Cronin	Groat	Mase	Sheehan
Ainsworth	Curtis	Haffner	Maynard	Smith, M. A.
Aspinall	Dante	Hagan	McAdam	Smith, T.
Baker, A. B.	Davidson	Haggerty	McCann	Sperry
Baker, A. H.	Decker	Hayes	McCarren	Stevens
Barton	Dinehart	Hughes	McKenzie	Sullivan
Bauer	Dinkelspiel	Husted	Mead	Tefft
Blanchfield	Donaldson	Kerrigan	Moody	Townsend
Blumenthal	Duffy	Kimball	Mullaney	Treadway
Brownell	Dunham	King	Murray	Van Gorder
Carson	Dunlap	Lane	Nixon	Walters
Cheney	Edwards	Larmon	O'Neil	Whipple
Clarke, C. C.	Enz	Le Roy	Pearsall	Yates
Comstock	Fish	Little	Peck	Yetman
Connelly	Fitts	Loder	Rice	Young
Coon	Gibbs	Longley	Savery	Youngman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Saxton, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Robertson, Int. No. 358, entitled "An act to amend section 2717 of the Code of Civil Procedure, with reference to the payment of creditors and legatees," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill restored to its place on the order of third reading.

On motion of Mr. Saxton, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Fitts	McCarren	Saxton
Adams	Coon	Gibbs	McKenzie	Schaaff
Ainsworth	Cottrell	Guenther	McLaughlin	Sheehan
Aspinall	Cronin	Haffner	McMaster	Sperry
Baker, A. B.	Crosby	Hagan	Moody	Stevens
Baker, A. H.	Curtis	Haggerty	Mullaney	Towne
Barton	Davidson	Harwood	Murray	Townsend
Baier	Decker	Hayes	Newschafer	Treadway
Blake	Demarest	Hughes	Nixon	Van Gorder
Blanchfield	Dinehart	Kimball	O'Neil	Walters
Blumenthal	Dinkelspiel	Larmon	Pearsall	Whipple
Brown	Donaldson	Lewis	Rhodes	Yates
Brownell	Duffy	Longley	Roesch	Yetman
Carson	Dunlap	Martin	Ryan	Young
Clark, J.	Edwards	Maynard	Saunders	Youngman
Clarke, C. C.	Endres	McCann	Savery	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

On motion of Mr. Saxton, and by unanimous consent Senate bill (No. 255) entitled "An act to amend section 2546 of the Code of Civil Procedure, relating to reports of referees in surrogates' courts" (Rec. No. 126), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Crosby	Harwood	McKenzie	Smith, M. A.
Adams	Curtis	Hornidge	Mead	Sperry
Andrus	Davidson	Hughes	Moody	Stevens
Aspinall	Decker	Husted	Mullaney	Strassburg
Baker, A. B.	Demarest	Kent	Murray	Tefft
Bauer	Dinehart	Kimball	Nixon	Towne
Blake	Donaldson	King	Pearsall	Townsend
Blanchfield	Duffy	Lane	Rhodes	Treadway
Blumenthal	Dunham	Larmon	Roesch	Van Gorder
Brown	Edwards	Lewis	Ryan	Walters

Brownell	Endres	Loder	Saunders	Whipple
Carson	Fitts	Martin	Savery	Yates
Cheney	Flaherty	Maynard	Saxton	Yetman
Clarke, C. C.	Guenther	McAdam	Schaaff	Young
Coon	Haffner	McCann	Sheehan	Youngman
Cottrell	Hagan	McCarren		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the following entitled bills:

"An act to amend chapter 420 of the Laws of 1888, entitled 'An act to provide for police matrons in cities'" (Rec. No. 385), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cheney, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Hagan	McKenzie	Smith, C.
Adams	Dinehart	Hamilton	McLaughlin	Smith, T.
Aspinall	Dinkelspiel	Hitt	McMaster	Sperry
Baker, A. B.	Donaldson	Hughes	Miley	Stevens
Bauer	Duffy	Husted	Miller	Strassburg
Blake	Dunham	Kent	Moody	Sullivan
Blanchfield	Dunlap	Kimball	Mullaney	Tefft
Blumenthal	Edwards	Lane	Murray	Towne
Brown	Endres	Larmon	Nixon	Townsend
Brownell	Enz	Le Roy	Pearsall	Treadway
Carson	Fish	Lewis	Rice	Van Gorder
Cheney	Fitts	Longley	Roesch	Walters
Clarke, C. C.	Gallup	Martin	Ryan	Whipple
Comstock	Gibbs	Mase	Saunders	Yates
Coon	Graham	Maynard	Savery	Yetman
Cottrell	Groat	McCann	Saxton	Young
Crosby	Guenther	McCarren	Schaaff	Youngman
Davidson	Haffner			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to authorize the issuing of bonds of the city of Yonkers for moneys which the board of education in said city has heretofore been authorized by the common council to borrow money for the purpose of purchasing the necessary land and erecting a building for a high school and library and other purposes" (Rec. No. 386), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Murray, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

"An act to provide for the sale of real estate of the Genesee County Agricultural Society" (Rec. No. 387), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. McKenzie, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and to be read the third time to-day.

"An act to prohibit the granting of licenses for the sale of intoxicating liquors near certain charitable public institutions" (Rec. No. 388), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to promote the care and curative treatment of the pauper and indigent insane in the counties of this State, except New York, Kings and Monroe counties, and to permit said excepted counties or either of them in accordance with the action of their respective local authorities, to avail themselves or any one or more of them, of the provisions of this act" (Rec. No. 389), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State charitable institutions, with power to report at any time.

"An act in relation to the rails of street surface railroads in cities and villages of this State" (Rec. No. 390), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to facilitate State commerce by increasing and improving the lockage capacity of the Erie and Oswego canals, and by improving the Erie, Oswego, Black River, Cayuga and Seneca and Champlain canals, and the Glens Falls feeder, the Oneida river, and by completing the construction of a basin at Havana, and opening the Seneca lake level of the Chemung canal to navigation" (Rec. No. 391), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals, with power to report at any time.

"An act making an appropriation for additional clerk hire in the State Treasurer's office" (Rec. No. 392), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Whipple, and by unanimous consent, the rules were suspended and said bill ordered to a third reading, and to be read the third time to-night.

"An act to prohibit deception in the manufacture, importation or sale of oil" (Rec. No. 393), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

"An act in relation to the issuance of permits by the board of health of the town of Newtown, in the county of Queens for the burial or other disposition of dead bodies in said town" (Rec. No. 394), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Townsend, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

"An act to provide for labeling bottles, boxes or other receptacles

containing oil or lard, of which cottonseed oil is a component part" (Rec. No. 395), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Hitt offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly bill No. 1050, entitled "An act in relation to railroad corporations," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the bill entitled "An act to amend chapter 280 of the Laws of 1888, entitled 'An act to amend chapter 540 of the Laws of 1879, entitled An act to regulate the practice of dentistry in the State of New York'" (No. 885), with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, lines 9 and 10, insert the words "or certificate of qualification."

Same section, lines 25 and 26, strike out the words "or certificates."

Section 2, line 2, strike out the word "or" and insert the word "and."

Same section, lines 19 and 20, strike out the words "or certificate of qualification."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Davidson	Hamilton	McAdam	Savery
Ainsworth	Decker	Harwood	McCann	Saxton
Andrus	Demarest	Hayes	McCarren	Sheehan
Aspinall	Dinehart	Hitt	McKenzie	Smith, C.
Baker, A. B.	Dinkelspiel	Hornidge	McLaughlin	Smith, M. A.
Baker, A. H.	Donaldson	Hughes	Mead	Smith, T.
Bauer	Duffy	Husted	Miller	Sperry
Blanchfield	Dunham	Kelly	Moody	Strassburg
Blumenthal	Edwards	Kent	Mullaney	Towne
Brownell	Endres	Kimball	Murray	Townsend
Bush, R. P.	Enz	King	Nixon	Treadway
Carson	Fish	Lane	Pearsall	Upson
Cheney	Fitts	Larmon	Rhodes	Van Gorder
Clarke, C. C.	Greene	Le Roy	Rice	Yates
Comstock	Groat	Little	Roesch	Yetman

Connelly	Guenther	Loder	Ryan	Young
Coon	Haffner	Mase	Saunders	Youngman
Cottrell	Haggerty			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

By unanimous consent,

Mr. Saxton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Mase, Int. No. 640, entitled "An act to regulate and fix the rates and fees for ferriage for passengers, horses, cattle, and all manner of goods, wares and merchandise whatsoever across the Hudson river, by the Newburgh and Fishkill Ferry Company, between the city of Newburgh and the village of Fishkill Landing," reported in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

The bill (Int. No. 1245) entitled "An act to authorize the common council of the city of Troy to consent that the trustees of the Rensselaer County Soldiers and Sailors' Monument Association to erect and forever maintain upon the lands of said city of Troy, known as Washington Square, in said city, the monument authorized to be erected and maintained by said association as provided in the articles of said association filed in the office of the Secretary of State, in the city of Albany, on the seventeenth day of November, 1886," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	82	}
{	NOES	00	}

Those who voted in the affirmative, were

Acker	Davidson	Harwood	McAdam	Roesch
Adams	Decker	Hayes	McCann	Ryan
Aspinall	Demarest	Hitt	McCarren	Saunders
Baker, A. H.	de Peyster	Hornidge	McKenzie	Savery
Bauer	Duffy	Hughes	McLaughlin	Schaaff
Blanchfield	Dunham	Husted	McMaster	Stevens
Brownell	Dunlap	Kent	Mead	Strassburg
Carson	Edwards	Kimball	Miley	Tefft
Cheney	Endres	Lane	Miller	Townsend
Clarke, C. C.	Fish	Larmon	Moody	Van Gorder
Comstock	Greene	Lewis	Newschafer	Walters
Connelly	Groat	Little	Nixon	Whipple
Coon	Guenther	Loder	O'Neil	Yates
Cottrell	Haffner	Longley	Pearsall	Yetman
Cronin	Hagan	Mase	Rhodes	Young
Curtis	Haggerty	Maynard	Rice	Youngman
Dante	Hamilton			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1051) entitled "An act to limit the eligibility of members of the board of education of the city of Brooklyn," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 73 }
{ NOES 27 }

Those who voted in the affirmative, were

Acker	Cottrell	Gibbs	Loder	Rice
Adams	Cronin	Groat	Mase	Saunders
Ainsworth	Crosby	Hamilton	Maynard	Saxton
Aspinall	Curtis	Hayes	McAdam	Smith, T.
Baker, A. B.	Davidson	Hitt	McKenzie	Sperry
Baker, A. H.	Decker	Hornidge	McMaster	Strassburg
Bauer	de Peyster	Hughes	Mead	Tefft
Blumenthal	Dinehart	Huntting	Miller	Towne
Brown	Donaldson	Husted	Moffitt	Treadway
Brownell	Dunlap	Kimball	Moody	Van Gorder
Carson	Edwards	King	Murray	Walters
Cheney	Enz	Larmon	Nixon	Whipple
Clark, J.	Fish	Le Roy	Pearsall	Yates
Connelly	Fitts	Lewis	Rhodes	Youngman
Coon	Flaherty	Little		

Those who voted in the negative, were

Bush, R. P.	Greene	Kerrigan	Miley	Ryan
Demarest	Guenther	Longley	Mullaney	Schaaff
Dinkelspiel	Hagan	McCann	Newschafer	Sullivan
Duffy	Harwood	McCarren	O'Neil	Yetman
Dunham	Kelly	McLaughlin	Roesch	Young
Endres	Kent			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 962) entitled 'An act to amend chapter 546 of the Laws of 1887, entitled 'An act to provide for the organization of trust companies,' for their supervision, and for the administration of their affairs," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Groat	Longley	Roesch
Adams	Demarest	Guenther	Maynard	Saunders
Aspinall	de Peyster	Haffner	McAdam	Savery
Baker, A. B.	Dinehart	Hagan	McCarren	Sheehan
Baker, A. H.	Dinkelspiel	Haggerty	McKenzie	Sperry
Bauer	Donaldson	Hamilton	Mesick	Stevens
Blanchfield	Duffy	Hayes	Miley	Tefft
Brownell	Dunham	Hitt	Moffitt	Towne
Bush, R. P.	Dunlap	Hughes	Moody	Treadway
Carson	Edwards	Kelly	Newschafer	Van Gorder
Cheney	Endres	Kimball	Nixon	Walters
Comstock	Enz	King	O'Neil	Whipple
Coon	Fish	Lane	Pearsall	Yates
Cottrell	Fitts	Le Roy	Peck	Yetman
Cronin	Flaherty	Lewis	Rhodes	Young
Curtis	Gibbs	Little	Rice	Youngman
Davidson	Greene			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 332) entitled "An act to amend chapter 713 of the Laws of 1887, entitled 'An act to amend chapter 483 of the Laws of 1885, entitled An act to tax gifts, legacies and collateral inheritances in certain cases,'" having been announced for a third reading,

Mr. de Peyster moved to amend said bill as follows:

Line 17, after the words "brother, sister" insert the words "nephew, niece."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 68 }
{ NOES 25 }

Those who voted in the affirmative, were

Andrus	Decker	Guenther	McCann	Savery
Andrus	Demarest	Haffner	McKenzie	Saxton
Baker, A. B.	de Peyster	Hagan	McMaster	Schaff
Baker, A. H.	Dinehart	Haggerty	Miley	Sheehan
Barton	Donaldson	Harwood	Moffitt	Smith, C.
Blanchfield	Duffy	Hayes	Moody	Strassburg
Blumenthal	Dunham	Hitt	Murray	Sullivan
Bush, R. P.	Enz	Hornidge	Newschafer	Townsend
Carson	Fish	Kelly	Nixon	Van Gorder
Coon	Fitts	Kent	O'Neil	Walters

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Cronin	Gibbs	Kerrigan	Peck	Yates
Curtis	Graham	Loder	Rhodes	Yetman
Dante	Greene	Mase	Ryan	Youngman
Davidson	Groat	Maynard		

Those who voted in the negative, were

Acker	Crosby	Hamilton	Longley	Smith, T.
Ainsworth	Dinkelspiel	Hughes	Martin	Sperry
Bauer	Dunlap	King	Mead	Towne
Clark, J.	Endres	Lane	Mullaney	Whipple
Comstock	Flaherty	Little	Roesch	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 945) entitled "An act to authorize the authorities of the city of Brooklyn to open, extend and improve Manhattan avenue, and to close a portion of the same, and to open and improve a portion of Ewen street in the city of Brooklyn," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Haffner	Mase	Saxton
Adams	Cottrell	Hagan	McAdam	Sheldon
Ainsworth	Cronin	Haggerty	McKenzie	Smith, C.
Aspinall	Dante	Hamilton	McMaster	Smith, M. A.
Baker, A. B.	Decker	Harwood	Mead	Smith, T.
Baker, A. H.	Demarest	Hayes	Miley	Sperry
Barton	Dinehart	Hitt	Moffitt	Stevens
Bauer	Dinkelspiel	Hornidge	Moody	Strassburg
Blake	Donaldson	Hughes	Mullaney	Sullivan
Blanchfield	Dunlap	Kelly	Newschafer	Tefft
Blumenthal	Edwards	Kent	Nixon	Townsend
Brown	Endres	Kimball	O'Neil	Treadway
Brownell	Fish	King	Pearsall	Van Gorder
Bush, R. P.	Fitts	Lane	Rhodes	Walters
Carson	Gibbs	Lewis	Roesch	Yates
Cheney	Greene	Loder	Ryan	Yetman
Clarke, C. C.	Groat	Longley	Saunders	Young
Comstock	Guenther	Martin	Savery	Youngman
Connelly				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 834) entitled "An act to revise and amend chapter 574 of the Laws of 1865, entitled 'An act to revise, consolidate and amend the act to incorporate the village of Stillwater, passed April 17, 1816, and the act to amend the same, passed March 17, 1860,' and to revise

and amend chapter 169 of the Laws of 1873, entitled 'An act to amend an act entitled An act to revise, consolidate and amend the act to incorporate the village of Stillwater,' was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Davidson	Guenther	McAdam	Savery
Adams	Decker	Haffner	McCann	Saxton
Ainsworth	Demarest	Haggerty	McKenzie	Smith, C.
Andrus	de Peyster	Hamilton	McLaughlin	Smith, M. A.
Aspinall	Dinehart	Harwood	McMaster	Smith, T.
Baker, A. B.	Dinkelspiel	Hayes	Miley	Sperry
Barton	Donaldson	Hitt	Moffitt	Stevens
Bauer	Duffy	Hughes	Moody	Tefft
Blake	Dunham	Kelly	Mullaney	Towne
Brownell	Dunlap	Kent	Newschafer	Townsend
Bush, R. P.	Edwards	Kimball	Nixon	Treadway
Carson	Endres	King	O'Neil	Van Gorder
Cheney	Fish	Lane	Pearsall	Walters
Comstock	Fitts	Loder	Rice	Whipple
Connelly	Graham	Longley	Roesch	Yates
Coon	Greene	Mase	Ryan	Yetman
Cottrell	Groat	Maynard	Saunders	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate returned the concurrent resolution recalling from the Governor for the purposes of amendment Assembly bill No. 1050, entitled "An act in relation to railroad corporations," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Rhodes offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 731, entitled "An act to amend chapter 62 of the Laws of 1853, entitled 'An act to regulate the construction of roads and streets across railroad tracks,' now on the order of third reading, be read the third time to-day.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate bill (No. 522) entitled "An act for the incorporation of ichthyological societies" (Rec. No. 237), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Gibbs	Longley	Schaaff
Adams	Connelly	Graham	Mase	Sheehan
Ainsworth	Cottrell	Groat	McAdam	Smith, M. A.
Andrus	Creamer	Guenther	McCann	Stevens
Aspinall	Cronin	Haffner	McKenzie	Sullivan
Baker, A. B.	Dante	Hagan	McLaughlin	Tefft
Baker, A. H.	Davidson	Haggerty	Miller	Towne
Barton	Decker	Hamilton	Moffitt	Townsend
Bauer	Demarest	Hayes	Moody	Treadway
Blumenthal	de Peyster	Kelly	Mullaney	Van Gorder
Brown	Dinkelspiel	Kent	O'Neil	Whipple
Brownell	Duffy	Kerrigan	Pearsall	Yates
Bush, G. H.	Edwards	Kimball	Roesch	Yetman
Bush, R. P.	Endres	Lane	Savery	Young
Carson	Fish	Lewis	Saxton	Youngman
Cheney	Gallup	Little		

For the negative,

Harwood

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 549) entitled "An act to reserve certain parts of Prospect park, in the city of Brooklyn, from sale, and to authorize leases thereof for art and science museums and libraries" (Rec. No. 240), was read the first time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Hamilton	McCarren	Smith, C.
Adams	Cottrell	Harwood	McKenzie	Smith, M. A.
Ainsworth	Dante	Hayes	McLaughlin	Sperry
Andrus	Davidson	Hitt	Miller	Stevens
Aspinall	Decker	Kelly	Moffitt	Strassburg
Baker, A. B.	Demarest	Kerrigan	Moody	Sullivan
Baker, A. H.	Dinehart	Kimball	Mullaney	Tefft
Barton	Dinkelspiel	King	Newschafer	Towne
Blanchfield	Dunlap	Lane	Nixon	Treadway
Blumenthal	Edwards	Lewis	O'Neil	Upson
Brown	Endres	Loder	Pearsall	Van Gorder
Bush, G. H.	Fish	Longley	Roesch	Walters

Bush, R. P.	Gibbs	Martin	Ryan	Whipple
Carson	Guenther	Maynard	Saunders	Yates
Cheney	Hagan	McAdam	Savery	Yetman
Comstock	Haggerty	McCann	Saxton	Youngman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1008) entitled "An act to provide for the inspection of meats intended for human food, and to provide for the appointment of inspectors thereof for the protection of the public health," having been announced for a third reading,

Mr. Greene moved to amend as follows:

Section 2, line 4, strike out all after the word "charged" and insert in lieu thereof the words "But nothing in this act shall apply to cattle, sheep, lambs or calves raised in this State."

Mr. Nixon moved to amend as follows:

Section 1, line 4, after the word "State" insert the words "or within ten miles of such limit."

Same section, line 5, after the word "which" insert the words "or within ten miles of which."

Same section, line 6, strike out the words "intended for consumption," and after the word "is" insert the word "slaughtered."

Section 1, strike out all after the word "slaughtered" and add the words "nor unless the animal so inspected has been found by such inspector to be sound, healthy and merchantable."

Amend section 4 so as to read as follows:

"§ 4. It shall be the duty of any inspector or deputy inspector who shall, in the discharge of his duty, find any animal to be diseased to cause the same to be condemned, and thereafter it shall be unlawful to sell, offer or expose for sale any part of such animal for human food."

Amend section 5 so as to read as follows:

"§ 5. Any person convicted of a violation of any provision of this act shall be fined not more than \$100, or imprisoned not more than thirty days. The fines imposed hereunder, when collected, shall be paid to the county treasurer of the county in which such conviction is had, to be placed to the credit of the township, city or village bringing the action."

Change "§ 5" to "§ 6."

Mr. Cottrell moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Greene, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Nixon, and it was determined in the affirmative.

The question recurring upon the final passage of said bill,

Mr. Nixon moved a call of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 23 }
{ NOES 80 }

Those who voted in the affirmative, were

Andrus	Dante	Hagan	Moody	Strassburg
Blumenthal	Dunham	Hornidge	Nixon	Towne
Clark, J.	Endres	Husted	Sheehan	Young
Connelly	Flaherty	Kimball	Smith, T.	Speaker
Cottrell	Greene	Mase		

Those who voted in the negative, were

Acker	Curtis	Graham	Martin	Saunders
Adams	Davidson	Groat	Maynard	Savery
Ainsworth	Decker	Haffner	McAdam	Saxton
Aspinall	Demarest	Haggerty	McCann	Schaaff
Baker, A. B.	de Peyster	Hamilton	McCarren	Smith, C.
Barton	Dinehart	Harwood	McLaughlin	Smith, M. A.
Bauer	Dinkelspiel	Hayes	McMaster	Sperry
Blake	Donaldson	Hitt	Mead	Stevens
Blanchfield	Duffy	Hughes	Miley	Sullivan
Brown	Dunlap	Kelly	Moffitt	Townsend
Cheney	Edwards	Kent	Mullaney	Treadway
Clarke, C. C.	Enz	King	Murray	Van Gorder
Comstock	Fish	Lane	Pearsall	Walters
Coon	Fitts	Little	Peck	Whipple
Cronin	Gallup	Loder	Rhodes	Yetman
Crosby	Gibbs	Longley	Roesch	Youngman

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That Senate bill, Int. No. 564, entitled "An act to abolish the office of railroad commissioner in and for the town of Milford in the county of Otsego, and to provide for the disposition of the moneys remaining in the hands of the persons hertofore occupying that office," be returned to the Governor without amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the following entitled bill:

"An act to amend chapter 462 of the Laws of 1887, entitled 'An act to amend chapter 409 of the Laws of 1886, entitled An act to regulate the employment of women and children in manufacturing establishments, and to provide for the appointment of inspectors to enforce the same'" (Rec. No. 401), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Graham, and by unanimous consent, said bill was ordered to be read the third time.

Said bill having been announced for a third reading.

Mr. Graham moved to amend the same as follows:

Line 14, strike out the word "eight" and insert the words "fourteen, three of whom shall be women."

Line 19, strike out all after the word "inspector."

Mr. Speaker put the question whether the House would agree to said motion to amend, and it was determined in the negative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 75 }
{ NOES 14 }

Those who voted in the affirmative, were

Acker	Coon	Fitts	Martin	Saxton
Adams	Cottrell	Flaherty	Mase	Sheehan
Aspinall	Cronin	Gallup	Maynard	Smith, C.
Baker, A. B.	Crosby	Gibbs	McCarren	Smith, M. A.
Barton	Curtis	Graham	McKenzie	Sperry
Bauer	Decker	Greene	McMaster	Stevens
Blake	Demarest	Hagan	Moody	Sullivan
Blanchfield	de Peyster	Haggerty	Mullaney	Tefft
Blumenthal	Dinehart	Hamilton	Murray	Townsend
Bush, G. H.	Donaldson	Husted	Pearsall	Treadway
Carson	Duffy	Kelly	Peck	Whipple
Cheney	Dunham	Kerigan	Rhodes	Yates
Clark, J.	Edwards	Kimball	Rice	Young
Comstock	Enz	Lewis	Roesch	Youngman
Connelly	Fish	Little	Savery	Speaker

Those who voted in the negative, were

Baker, A. H.	Groat	Larmon	O'Neil	Van Gorder
Dinkelspiel	Haffner	Longley	Ryan	Yetman
Endres	Kent	Nixon	Saunders	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

On motion of Mr. Speaker, and by unanimous consent, the committee on insurance was discharged from the further consideration of Senate bill No. 691, entitled "An act to provide for and regulate the investment of corporate funds" (Rec. No. 396), and the same was ordered to a third reading, and to be read to-day at 1 o'clock.

The Senate sent for concurrence the following entitled bill:

"An act to authorize the city of Buffalo to issue its bonds for the purpose of paying part of the awards and defraying part of the costs and expenses of acquiring lands for public market purposes, known as the extension of the Elk street market" (Rec. No. 399), which was

read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Sheehan, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Haggerty	Maynard	Saunders
Andrus	Demarest	Hamilton	McAdam	Savery
Aspinall	de Peyster	Harwood	McCarren	Schaaff
Baker, A. B.	Dinehart	Hayes	McKenzie	Sheehan
Baker, A. H.	Dinkelspiel	Hitt	Miley	Smith, C.
Bauer	Donaldson	Hughes	Miller	Smith, M. A.
Blanchfield	Duffy	Husted	Moffitt	Smith, T.
Blumenthal	Dunham	Kelly	Moody	Strassburg
Bush, G. H.	Edwards	Kent	Murray	Sullivan
Bush, R. P.	Endres	Kerrigan	Newschafer	Tefft
Carson	Enz	Kimball	Nixon	Townsend
Cheney	Fitts	Lane	O'Neil	Treadway
Clark, J.	Gallup	Larmon	Pearsall	Van Gorder
Connelly	Gibbs	Lewis	Peck	Whipple
Coon	Graham	Little	Rhodes	Yates
Cottrell	Greene	Loder	Rice	Yetman
Cronin	Groat	Longley	Roesch	Young
Crosby	Guenther	Martin	Ryan	Youngman
Davidson	Haffner	Mase		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Hamilton moved that the House do now go into committee of the whole upon Assembly bill No. 854, entitled "An act relative to the powers and duties of commissioners appointed by boards of supervisors of counties, or mayors of cities, pursuant to chapter 606 of the Laws of 1875."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

{ AYES 26 }
{ NOES 47 }

Those who voted in the affirmative, were

Adams	Clark, J.	Kent	McKenzie	Smith, M. A.
Baker, A. B.	Comstock	Kimball	Mead	Stevens
Baker, A. H.	Dante	Larmon	Miley	Walters
Barton	Davidson	Longley	Ryan	Whipple
Bauer	Hamilton	McAdam	Savery	Yates
Brown				

Those who voted in the negative, were

Acker	Crosby	Haggerty	Loder	Sheehan
Aspinall	de Peyster	Hayes	Martin	Smith, T.
Blake	Donaldson	Hitt	McCarren	Sperry
Blanchfield	Duffy	Hornidge	McMaster	Strassburg
Blumenthal	Dunham	Kelly	Murray	Sullivan
Bush, G. H.	Endres	Kerrigan	O'Neil	Tefft
Carson	Fish	King	Peck	Van Gorder
Clarke, C. C.	Graham	Le Roy	Roesch	Young
Connelly	Haffner	Little	Schaaff	Youngman
Coon	Hagan			

Mr. Larmon moved that the House do now resolve itself into a committee of the whole upon Assembly bill No. 1082, entitled "An act for the assessment and taxation of real and personal property, and for equalizing taxation thereon."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

{ AYES 39 }
{ NOES 52 }

Those who voted in the affirmative, were

Acker	Comstock	Flaherty	Larmon	Pearsall
Ainsworth	Coon	Gallup	Le Roy	Peck
Baker, A. B.	Cottrell	Greene	Lewis	Ryan
Baker, A. H.	Dante	Guenther	Little	Saunders
Bauer	Decker	Hamilton	Loder	Savery
Brown	Dunham	Harwood	Maynard	Towne
Bush, R. P.	Dunlap	Hughes	McKenzie	Van Gorder
Carson	Fitts	Lane	Mead	

Those who voted in the negative, were

Adams	Demarest	Haffner	King	Roesch
Andrus	de Peyster	Hagan	Longley	Schaaff
Aspinall	Dinehart	Haggerty	Martin	Smith, C.
Blake	Dinkelspiel	Hayes	McCann	Smith, T.
Blanchfield	Donaldson	Hitt	McCarren	Sperry
Blumenthal	Duffy	Hornidge	McLaughlin	Strassburg
Clarke, C. C.	Endres	Husted	McMaster	Sullivan
Connelly	Fish	Kelly	Moffitt	Yates
Cronin	Graham	Kent	Murray	Yetman
Crosby	Greene	Kerrigan	Rhodes	Youngman
Davidson	Groat			

Mr. Andrus moved that the House do now resolve itself into a committee of the whole upon Assembly bill No. 1242, entitled "An act to revise the charter of the city of Buffalo."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Blumenthal moved to take from the table the motion to reconsider the vote by which Assembly bill No. 894, entitled "An act to amend section 1066 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relative to certain educational institutions," was lost.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 57 }
{ NOES 28 }

Those who voted in the affirmative, were

Ainsworth	Dante	Hagan	Martin	Rice
Andrus	Demarest	Haggerty	McAdam	Roesch
Baker, A. B.	Dinehart	Hayes	McCann	Ryan
Bauer	Dinkelspiel	Hitt	McCarren	Schaaff
Blake	Duffy	Hornidge	McLaughlin	Sheehan
Blanchfield	Dunham	Hughes	Miley	Smith, C.
Blumenthal	Endres	Kelly	Moffitt	Smith, T.
Carson	Gallup	Kent	Mullaney	Strassburg
Clarke, C. C.	Graham	Kerrigan	Murray	Sullivan
Comstock	Greene	Kimball	Newschafer	Townsend
Connelly	Guenther	Longley	O'Neil	Yates
Cronin	Haffner			

Those who voted in the negative, were

Acker	de Peyster	Lewis	Nixon	Tefft
Aspinall	Donaldson	Little	Pearsall	Towne
Baker, A. H.	Fish	Loder	Rhodes	Van Gorder
Cottrell	Fitts	Maynard	Savery	Young
Crosby	King	McMaster	Sperry	Youngman
Decker	Lane	Mead		

Mr. Crosby, from the committee on State charitable institutions, to which was referred the Senate bill introduced by Mr. Fassett, Int. No. 389, entitled "An act to promote the care and curative treatment of the pauper and indigent insane in the counties of this State except New York, Kings and Monroe counties, and to permit said excepted counties, or either of them, in accordance with the action with their respective local authorities, to avail themselves, or any one or more of them, of the provisions of this act," reported in favor of the passage of the same (Messrs. Adams and Groat, dissenting), which report was agreed to, and said bill committed to the committee of the whole.

Mr. Crosby moved that this House do now resolve itself into committee of the whole upon said bill.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

{ AYES 50 }
{ NOES 52 }

Those who voted in the affirmative, were

Acker	Crosby	Fish	Martin	Savery
Aspinall	Curtis	Haffner	McKenzie	Sheehan
Blake	de Peyster	Hagan	McMaster	Smith, C.
Blumenthal	Dinehart	Hayes	Mead	Smith, T.
Brownell	Dinkelspiel	Hornidge	Moody	Sperry
Bush, R. P.	Duffy	Husted	Mullaney	Strassburg
Carson	Dunham	Kerrigan	Newschafer	Sullivan
Clarke, C. C.	Dunlap	King	Rhodes	Van Gorder
Connelly	Edwards	Larmon	Roesch	Yates
Cottrell	Enz	Le Roy	Saunders	Youngman

Those who voted in the negative, were

Adams	Cronin	Groat	Loder	Pearsall
Ainsworth	Dante	Guenther	Longley	Peck
Andrus	Davidson	Haggerty	Maynard	Rice
Baker, A. B.	Decker	Harwood	McAdam	Ryan
Baker, A. H.	Demarest	Hughes	McCarren	Schaaff
Barton	Donaldson	Kelly	McLaughlin	Stevens
Bauer	Endres	Kent	Miley	Towne
Bush, G. H.	Flaherty	Kimball	Moffitt	Townsend
Cheney	Gallup	Lane	Nixon	Treadway
Comstock	Graham	Lewis	O'Neil	Whipple
Coon	Greene			

Mr. Coon, from the committee on public education, to which was referred the bill introduced by Mr. Coon, Int. No. 58, entitled "An act to secure to children the benefits of an elementary education, and making an appropriation therefor," reported in favor of concurring in the Senate amendments thereto.

Mr. Ainsworth moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 75 }
{ NOES 32 }

Those who voted in the affirmative, were

Acker	Coon	Fitts	Little	Savery
Adams	Cottrell	Flaherty	Loder	Saxton
Ainsworth	Crosby	Gallup	Mase	Smith, C.
Aspinall	Curtis	Gibbs	Maynard	Smith, M. A.
Baker, A. B.	Dante	Groat	McAdam	Sperry
Baker, A. H.	Davidson	Hamilton	McKenzie	Stevens
Barton	Decker	Hitt	McMaster	Tefft

Bauer	de Peyster	Hughes	Mead	Towne
Brown	Dinehart	Husted	Moffitt	Treadway
Brownell	Donaldson	Kimball	Moody	Van Gorder
Bush, R. P.	Dunham	King	Nixon	Walters
Carson	Dunlap	Lane	Pearsall	Whipple
Cheney	Edwards	Larmon	Peck	Yates
Clark, J.	Endres	Le Roy	Rhodes	Young
Comstock	Enz	Lewis	Saunders	Youngman

Those who voted in the negative, were

Blake	Duffy	Hornidge	McCarren	Roesch
Blanchfield	Graham	Kelly	McLaughlin	Schaaff
Clarke, C. C.	Greene	Kent	Miller	Sheehan
Connolly	Haffner	Kerrigan	Mullaney	Strassburg
Cronin	Hagan	Longley	Murray	Sullivan
Demarest	Haggerty	McCann	Newschafer	Townsend
Dinkelspiel	Hayes			

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in their amendments.

Mr. Gallup, from the committee on canals, to which was referred the Senate bill introduced by Mr. Langbein, Int. No. 391, entitled "An act to facilitate State commerce by increasing and improving the lockage capacity of the Erie and Oswego canals, and by improving the Erie, Oswego, Black river, Cayuga, Seneca and Champlain canals, and the Glens Falls feeder, the Oneida river, and by completing the construction of a basin at Havana and opening the Seneca Lake level of the Chemung canal to navigation," reported the same for the consideration of the House (Messrs. Gallup, Little, Coon, Groat and Baker dissenting, in favor of \$600,000 appropriation), which report was agreed to and said bill committed to the committee of the whole.

Mr. Sheehan moved that the House do now go into committee of the whole upon said bill.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole, and proceeded to the consideration of said bill.

After some time spent therein, Mr. Speaker resumed the chair, and Mr. McMaster, from said committee, reported progress on the same, and asked and obtained leave to sit again.

On motion of Mr. Greene, and by unanimous consent, the committee of the whole was discharged from the further consideration of said bill, and the same was ordered to a third reading.

On motion of Mr. Sheehan, and by unanimous consent, said bill was ordered to be read the third time to-night.

Mr. Whipple, from the committee on insurance, to which was referred the Senate bill introduced by Mr. Pierce, Int. No. 771, entitled "An act to amend chapter 285 of the Laws of 1887, entitled 'An act to amend chapter 175 of the Laws of 1883, entitled An act to provide for the incorporation and regulation of cooperative or assessment life and casualty insurance associations and societies,'" reported

in favor of the passage of the same, which report was agreed to, and said bill restored to its place on the order of third reading.

The senate sent for concurrence the following entitled bills:

"An act to make an appropriation for the payment of women deputy factory inspectors" (Rec. No. 404), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Speaker, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 2 }

Those who voted in the affirmative, were

Acker	Crosby	Hagan	Loder	Roesch
Andrus	Curtis	Haggerty	Longley	Ryan
Aspinall	Davidson	Hamilton	Martin	Saunders
Baker, A. B.	Decker	Harwood	McAdam	Saxton
Barton	Demarest	Hayes	McCann	Schaaff
Bauer	Dinehart	Hitt	McCarren	Sheehan
Blake	Dinkelspiel	Hornidge	McKenzie	Smith, M. A.
Blanchfield	Donaldson	Hughes	McLaughlin	Smith, T.
Blumenthal	Duffy	Husted	McMaster	Sperry
Brown	Dunlap	Kelly	Mead	Sullivan
Brownell	Edwards	Kimball	Moffitt	Van Gorder
Bush, G. H.	Endres	King	Moody	Walters
Cheney	Fish	Lane	Mullaney	Whipple
Clark, J.	Fitts	Larmon	Murray	Yates
Connelly	Gibbs	Le Roy	Pearsall	Youngman
Cottrell	Guenther	Little	Rhodes	

Those who voted in the negative, were

Haffner Kent

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to provide for the revision and consolidation of certain of the general statutes of this State" (Rec. No. 403), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 76 }
{ NOES 2 }

Those who voted in the affirmative, were

Acker	Comstock	Fish	Kimball	Pearsall
Adams	Connelly	Fitts	Larmon	Rhodes
Ainsworth	Cronin	Flaherty	Le Roy	Rice

Andrus	Curtis	Gibbs	Little	Ryan
Aspinall	Davidson	Graham	Longley	Saunders
Baker, A. B.	Decker	Greene	McAdam	Savery
Baker, A. H.	Demarest	Guenther	McCann	Schaaff
Bauer	de Peyster	Haffner	McCarren	Sheehan
Blake	Dinehart	Hagan	McKenzie	Sperry
Blanchfield	Dinkelspiel	Haggerty	Mead	Sullivan
Brownell	Donaldson	Hamilton	Miley	Townsend
Bush, G. H.	Duffy	Harwood	Moffitt	Treadway
Bush, R. P.	Dunlap	Hughes	Moody	Van Gorder
Cheney	Edwards	Husted	Murray	Walters
Clark, J.	Endres	Kerrigan	Newschafer	Yates
Clarke, C. C.	Enz			

Those who voted in the negative, were

Crosby Mullaney

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 561, entitled "An act to enable the mayor and common council of Long Island City to borrow money for the purpose of increasing the water supply and laying additional water pipes in said city," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Husted moved that a session of this House be held this evening from 8 to 10 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate returned the bill entitled "An act to amend chapter 239 of the Laws of 1866, entitled 'An act to incorporate the Poughkeepsie Associated Fire Department of the city of Poughkeepsie,' as amended by chapter 68 of the Laws of 1873," with a message that they have concurred in the passage of the same, with the following amendments:

Line 21, after the word "taxation" add the words "And the said corporation is hereby authorized to expend the sum of \$2,500, or any less sum, from the funds in its possession, in the erection of a monument to the memory of deceased firemen in the Poughkeepsie Rural cemetery."

Strike out section 2, and change "§ 3" to "§ 2."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Guenther	McCarren	Smith, C.
Ainsworth	Crosby	Haffner	McKenzie	Smith, T.
Aspinall	Curtis	Haggerty	McLaughlin	Sperry
Baker, A. B.	Decker	Hamilton	Mead	Stevens
Baker, A. H.	Demarest	Hitt	Miley	Strassburg
Bauer	de Peyster	Husted	Moffitt	Sullivan
Blake	Dinkelspiel	Kent	Moody	Tefft
Blumenthal	Donaldson	Kimball	Murray	Towne
Brown	Dunlap	Lewis	Pearsall	Townsend
Carson	Edwards	Little	Peck	Van Gorder
Cheney	Endres	Loder	Roesch	Walters
Clark, J.	Fish	Martin	Ryan	Whipple
Clarke, C. C.	Fitts	Mase	Saunders	Yetman
Comstock	Flaherty	Maynard	Saxton	Young
Connelly	Gibbs	McCann	Sheehan	Youngman
Coon	Graham			

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in their amendments.

A communication from the Governor was received and read in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 26, 1889. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 379, entitled "An act to amend section 4 of title 13 of chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,' and the several acts amendatory thereof, relating to the Buffalo fire department."

DAVID B. HILL.

Mr. Endres offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill No. 379, entitled "An act to amend section 4 of title 13 of chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,' and the several acts amendatory thereof, relating to the Buffalo fire department," be returned to the Governor without amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

On motion of Mr. Sullivan, and by unanimous consent, the committee on affairs of cities was discharged from the further consideration of Senate bill No. 722, entitled "An act to prohibit the granting of licenses for the sale of intoxicating liquors near certain charitable

public institutions" (Rec. No. 388), and the same was ordered to a third reading, and to be read the third time to-night.

The Senate returned the bill entitled "An act to permit the city of Auburn to raise money to build a bridge and to supply deficiency caused by the failure of the First National Bank in said city" (No. 920), with a message that they have concurred in the passage of the same, with the following amendments:

Strike out section 2, and change "§ 3" to "§ 2."

Amend the title so as to read as follows:

"An act to permit the city of Auburn to raise money to build a bridge across the Owasco outlet, at Genesee street, in said city."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dante	Hayes	McCann	Roesch
Ainsworth	Davidson	Hitt	McCarren	Ryan
Aspinall	Decker	Hughes	McKenzie	Saunders
Baker, A. H.	Demarest	Husted	McLaughlin	Savery
Bauer	de Peyster	Kelly	Mead	Saxton
Blanchfield	Dinkelspiel	Kent	Mesick	Smith, M. A.
Blumenthal	Donaldson	Kimball	Miley	Smith, T.
Brown	Dunlap	King	Miller	Sperry
Bush, G. H.	Edwards	Lane	Moffitt	Stevens
Bush, R. P.	Endres	Larmon	Moody	Strassburg
Carson	Enz	Le Roy	Mullaney	Sullivan
Cheney	Fitts	Lewis	Murray	Tefft
Comstock	Flaherty	Little	Newschafer	Towne
Connelly	Haffner	Loder	O'Neil	Townsend
Coon	Hagan	Martin	Pearsall	Van Gorder
Cronin	Haggerty	Mase	Peck	Walters
Crosby	Hamilton	Maynard	Rhodes	Whipple
Curtis	Harwood	McAdam		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

A message from the Senate was received and read in the words following:

IN SENATE, *May 15, 1889.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill No. 356, entitled "An act to incorporate the New York and Brooklyn Tunnel Company." (Rec. No. 281.)

The vote upon the final passage of said bill having been reconsidered, On motion of Mr. Pierce, and by unanimous consent, the same was amended as follows:

Section 10, line 3, strike out the words "by rail or otherwise."

And as amended passed, reëngrossed, and ordered to be sent to the Assembly for concurrence.

By order.

JOHN S. KENYON, *Clerk.*

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 77 }
{ NOES 4 }

Those who voted in the affirmative, were

Acker	Dante	Guenther	Loder	Pearsall
Ainsworth	Davidson	Haffner	Longley	Peck
Baker, A. B.	Decker	Haggerty	Martin	Rhodes
Baker, A. H.	Demarest	Hamilton	Maynard	Saunders
Barton	de Peyster	Harwood	McAdam	Savery
Bauer	Dinehart	Hayes	McCann	Saxton
Blumenthal	Dinkelspiel	Hitt	McCarren	Sheehan
Brown	Donaldson	Kent	McKenzie	Stevens
Brownell	Dunlap	Kerrigan	McMaster	Sullivan
Bush, G. H.	Edwards	Kimball	Mead	Tefft
Bush, R. P.	Enz	Lane	Miley	Towne
Carson	Fish	Larmon	Moffitt	Townsend
Clarke, C. C.	Fitts	Le Roy	Moody	Van Gorder
Comstock	Flaherty	Lewis	Murray	Walters
Coon	Graham	Little	Newschafer	Yetman
Curtis	Groat			

Those who voted in the negative, were

Crosby	Mullaney	Roesch	Strassburg
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Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 71 }
{ NOES 14 }

Those who voted in the affirmative, were

Acker	Curtis	Haggerty	Longley	Saunders
Adams	Davidson	Harwood	Maynard	Savery
Ainsworth	Decker	Hitt	McAdam	Saxton
Andrus	Demarest	Hornidge	McCann	Sullivan
Baker, A. B.	de Peyster	Hughes	McCarren	Tefft
Baker, A. H.	Dinkelspiel	Husted	McKenzie	Towne
Bauer	Donaldson	Kent	Mead	Townsend
Blanchfield	Dunlap	Kimball	Miller	Treadway
Bush, R. P.	Enz	Lane	Moffitt	Van Gorder

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Carson	Gibbs	Larmon	Moody	Walters
Cheney	Graham	Le Roy	Murray	Whipple
Clarke, C. C.	Groat	Lewis	Nixon	Young
Comstock	Guenther	Little	Rice	Youngman
Connelly	Hagan	Loder	Ryan	Speaker
Cronin				

Those who voted in the negative, were

Aspinall	Crosby	Kerrigan	Newschafer	Smith, T.
Blake	Endres	King	Rhodes	Sperry
Cottrell	Fish	Mullaney	Roesch	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, May 15, 1889. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 1050, entitled "An act in relation to railroad corporations."

DAVID B. HILL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Groat	Lewis	Nixon
Adams	Coon	Guenther	Loder	Ryan
Ainsworth	Cottrell	Haffner	Longley	Saunders
Andrus	Cronin	Hagan	Martin	Savery
Aspinall	Crosby	Haggerty	Maynard	Saxton
Baker, A. B.	Curtis	Harwood	McAdam	Smith, C.
Baker, A. H.	Decker	Hitt	McCann	Smith, M. A.
Blanchfield	Demarest	Hughes	McCarren	Sullivan
Blumenthal	Dinkelspiel	Husted	McKenzie	Tefft
Brownell	Dunlap	Kelly	McLaughlin	Treadway
Bush, R. P.	Fish	Kent	McMaster	Van Gorder
Carson	Fitts	Kerrigan	Mead	Walters
Cheney	Flaherty	Kimball	Miller	Whipple
Clark, J.	Gibbs	Lane	Moffitt	Yetman
Clarke, C. C.	Graham	Larmon	Moody	Young
Comstock	Greene	Le Roy		

The vote upon the final passage of said bill having been reconsidered, On motion of Mr. Hitt, and by unanimous consent, the same was amended as follows:

Strike out all after the enacting clause and insert the following:

"SECTION 1. The time within which the Mechanicville and Fort Edward Railroad Company is required to complete its railroad is hereby extended for a period of two years from the passage of this act.

"§ 2. This act shall take effect immediately."

Amend the title so as to read as follows:

"An act to extend the time for the completion of the Mechanicville and Fort Edward railroad."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dante	Groat	Longley	Saunders
Adams	Davidson	Guenther	Martin	Savery
Ainsworth	Decker	Haffner	Maynard	Saxton
Aspinall	Demarest	Hagan	McCann	Schaaff
Baker, A. B.	de Peyster	Hamilton	McCarren	Smith, C.
Barton	Dinkelspiel	Harwood	McKenzie	Smith, M. A.
Blake	Duffy	Hayes	McMaster	Smith, T.
Blanchfield	Dunham	Hitt	Mead	Sperry
Blumenthal	Dunlap	Hughes	Miley	Tefft
Bush, G. H.	Endres	Husted	Miller	Townsend
Bush, R. P.	Enz	Kelly	Moffitt	Treadway
Carson	Fish	Kent	Murray	Walters
Clarke, C. C.	Fitts	Kerrigan	Newschafer	Whipple
Comstock	Flaherty	King	O'Neil	Yates
Coon	Gallup	Lane	Pearsall	Yetman
Cronin	Gibbs	Larmon	Peck	Young
Crosby	Graham	Lewis	Roesch	Youngman
Curtis	Greene	Little		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

On motion of Mr. Blumenthal, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill (No. 1086), entitled "An act to amend chapter 565 of the Laws of 1887, entitled 'An act to provide for fixing and determining the salaries of the commissioners of docks in all cities of this State having, according to the last census, a population exceeding 800,000,'" and the same was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 73 }
{ NOES 7 }

Those who voted in the affirmative, were

Acker	Clark, J.	Greene	Lewis	Roesch
Ainsworth	Comstock	Groat	Little	Ryan
Andrus	Connelly	Guenther	Longley	Saunders
Aspinall	Cronin	Haffner	Martin	Savery
Baker, A. B.	Davidson	Hagan	McAdam	Smith, T.
Baker, A. H.	Decker	Haggerty	McCann	Stevens
Barton	Demarest	Harwood	McCarren	Strassburg
Blake	Dinehart	Hayes	McMaster	Tefft
Blanchfield	Dinkelspiel	Hitt	Miley	Townsend
Blumenthal	Duffy	Hornidge	Moffitt	Treadway
Brown	Edwards	Hughes	Moody	Van Gorder
Brownell	Endres	Husted	Murray	Walters
Bush, G. H.	Fish	Kent	Newschafer	Yetman
Carson	Fitts	Kerrigan	Nixon	Young
Cheney	Gibbs	Kimball		

Those who voted in the negative, were

Coon	Crosby	Hamilton	King	Mead
Cottrell	Dunlap			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act to lay out and improve One Hundred and Sixteenth street, from Tenth avenue to the road and public drive known as the Broadway boulevard, in the city of New York" (No. 1004), with a message that they have concurred in the passage of the same, with the following amendment:

Section 3, strike out the word "two" and insert the word "four."

By unanimous consent.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 69 }
{ NOES 10 }

Those who voted in the affirmative, were

Acker	Carson	Fish	Longley	Schaaff
Ainsworth	Clarke, C. C.	Groat	Martin	Smith, C.
Andrus	Connelly	Guenther	Maynard	Smith, M. A.
Aspinall	Coon	Haffner	McAdam	Smith, T.
Baker, A. B.	Cottrell	Hagan	McCann	Sullivan
Baker, A. H.	Cronin	Haggerty	McCarren	Treadway
Barton	Curtis	Hamilton	McLaughlin	Van Gorder
Bauer	Davidson	Harwood	McMaster	Walters
Blake	Demarest	Hayes	Mead	Whipple
Blanchfield	Dinehart	Hornidge	Moffit	Yates
Blumenthal	Dinkelspiel	Kerrigan	Moody	Yetman

Brown	Donaldson	King	Murray	Young
Brownell	Edwards	Lane	Roesch	Youngman
Bush, G. H.	Endres	Little	Savery	

Those who voted in the negative, were

Adams	de Peyster	Mase	Pearsall	Towne
Crosby	Husted	Nixon	Saxton	Townsend

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate sent for concurrence the bill entitled "An act to amend chapter 65 of the Laws of 1886, entitled 'An act to secure adequate compensation for the right to construct, maintain, use, operate or extend street railroads in cities and villages,' and the act or acts amendatory thereof" (Rec. No. 398), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 76 }
{ NOES 3 }

Those who voted in the affirmative, were

Ainsworth	Davidson	Hamilton	Mase	Savery
Aspinall	Decker	Hitt	McAdam	Saxton
Baker, A. B.	Demarest	Hughes	McCann	Schaaff
Baker, A. H.	de Peyster	Husted	McCarren	Sheehan
Barton	Dinehart	Kelly	McMaster	Smith, M. A.
Bauer	Dinkelspiel	Kent	Mead	Stevens
Brown	Donaldson	Kerrigan	Miley	Sullivan
Brownell	Edwards	Kimball	Miller	Tefft
Clark, J.	Fish	Lane	Moffitt	Van Gorder
Clarke, C. C.	Fitts	Larmon	Newschafer	Walters
Comstock	Flaherty	Lewis	Pearsall	Whipple
Connelly	Graham	Little	Peck	Yates
Coon	Groat	Loder	Roesch	Yetman
Cottrell	Hagan	Longley	Ryan	Young
Cronin	Haggerty	Martin	Saunders	Youngman
Curtis				

Those who voted in the negative, were

Endres	Guenther	Smith, C.
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Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Husted introduced a bill entitled "An act to amend chapter 81 of the Laws of 1889, entitled 'An act to provide for the erection of a building for certain purposes relating to the public interests in the

city of New York" (Int. No. 1248), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

The Senate sent for concurrence the following entitled bills:

"An act to amend section 44 of chapter 346 of the Laws of 1859, entitled 'An act concerning the salt springs and the manufacture of salt'" (Rec. No. 400), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on manufacture of salt.

"An act to amend chapter 552 of the Laws of 1888, entitled 'An act to amend chapter 180 of the Laws of 1884, entitled An act to amend chapter 410 of the Laws of 1882, entitled An act to consolidate into one act, and to declare the special and local laws affecting public interests in the city of New York, and to provide a pension fund for the police department of said city, as the same is amended by chapter 364 of the Laws of 1885'" (Rec. No. 402), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hamilton, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 2 }

Those who voted in the affirmative, were

Acker	Curtis	Groat	Maynard	Savery
Adams	Davidson	Guenther	McAdam	Saxton
Ainsworth	Decker	Haffner	McCann	Schaaff
Aspinall	Demarest	Hamilton	McCarren	Sheehan
Baker, A. B.	de Peyster	Hitt	McKenzie	Smith, M. A.
Baker, A. H.	Dinehart	Hornidge	McLaughlin	Smith, T.
Bauer	Dinkelspiel	Husted	Miley	Sperry
Blake	Donaldson	Kent	Moffitt	Tefft
Blanchfield	Dunlap	Kerrigan	Moody	Towne
Brown	Edwards	Kimball	Murray	Van Gorder
Bush, G. H.	Endres	King	Newschafer	Walters
Carson	Enz	Lane	O'Neil	Whipple
Cheney	Fitts	Larmon	Rice	Yates
Clark, J.	Flaherty	Le Roy	Roesch	Yetman
Comstock	Gibbs	Little	Ryan	Young
Coon	Graham	Loder	Saunders	Youngman
Cottrell	Greene	Longley		

Those who voted in the negative, were:

Crosby Rhodes

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act concerning the building and maintaining of a hospital for

contagious diseases by the city of Brooklyn in the town of Flatbush" (Rec. No. 405), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to amend section 1638 of the Code of Civil Procedure" (Rec. No. 406), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Guenther, Int. No. 762, entitled "An act to provide for the location of a boulevard or highway from the northerly part of the city of Buffalo, in the county of Erie, to the southerly bounds of the corporation of the village of Niagara Falls, in the county of Niagara," reported in favor of the passage of the same, with amendments, which report was agreed to.

On motion of Mr. Guenther, and by unanimous consent, said bill was ordered to a third reading, and read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 2 }

Those who voted in the affirmative, were

Acker	Cottrell	Groat	Mase	Saxton
Adams	Cronin	Guenther	McCann	Schaaff
Ainsworth	Crosby	Hagan	McCarren	Sheehan
Andrus	Curtis	Haggerty	Miley	Sheldon
Aspinall	Dante	Hamilton	Miller	Smith, M. A.
Baker, A. B.	Decker	Hornidge	Moffitt	Smith, T.
Baker, A. H.	Demarest	Hughes	Moody	Sperry
Bauer	de Peyster	Husted	Mullaney	Sullivan
Blake	Dinehart	Kelly	Murray	Townsend
Blanchfield	Dinkelspiel	Kent	Newschafer	Van Gorder
Brown	Donaldson	Kerrigan	Nixon	Walters
Carson	Dunlap	Kimball	Pearsall	Whipple
Cheney	Edwards	King	Roesch	Yates
Clarke, C. C.	Endres	Lane	Ryan	Yetman
Comstock	Fitts	Larmon	Saunders	Young
Connelly	Flaherty	Loder	Savery	Youngman
Coon	Gibbs	Longley		

Those who voted in the negative, were

Harwood McKenzie

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act to provide a rifle range for the use of the National Guard" (No. 1029), with a message that they have concurred in the passage of the same, as amended.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution dated April twenty-second, relative to the appointment of two Senators and three Members of Assembly, by the presiding officers of the respective Houses, to visit the several normal schools having academic departments, with a message that they have concurred in the passage of the same.

Under the provisions of the above concurrent resolution, which has passed both branches of the Legislature, Mr. Speaker appointed as such committee on the part of the House Messrs. Peck, Saxton and Hitt.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have appointed such committee on the part of the House.

The Senate returned the Senate bill entitled "An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica'" (Rec. No. 216), with a message that they have concurred in the amendments of the Assembly thereto.

Ordered, That the Clerk return said bill to the Senate.

The hour of 2 o'clock having arrived, the House took a recess until 4 o'clock.

FOUR O'CLOCK P. M.

The House again met.

On motion of Mr. Haggerty, and by unanimous consent, the Senate bill (Rec. No. 317), entitled "An act to amend chapter 285 of the Laws of 1887, entitled 'An act to amend chapter 175 of the Laws of 1883, entitled An act to provide for the incorporation and regulation of cooperative or assessment life and casualty insurance associations and societies,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 77 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Dante	Harwood	Martin	Savery
Adams	Davidson	Hitt	Maynard	Saxton
Ainsworth	Decker	Hornidge	McAdam	Schaaff
Aspinall	Demarest	Hughes	McCann	Smith, T.
Baker, A. B.	Donaldson	Husted	McCarren	Sperry
Baker, A. H.	Duffy	Kelly	Mead	Stevens
Barton	Endres	Kent	Miley	Tefft
Bauer	Fish	Kerrigan	Moody	Towne
Blake	Fitts	King	Murray	Townsend
Blanchfield	Gibbs	Lane	Nixon	Van Gorder
Blumenthal	Graham	Larmon	O'Neil	Whipple
Comstock	Greene	Lewis	Pearsall	Yates
Connelly	Groat	Little	Peck	Yetman

Coon	Guenther	Loder	Rhodes	Young
Cottrell	Haffner	Longley	Roesch	Youngman
Curtis	Haggerty			

For the negative,

Crosby

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 995) entitled "An act authorizing the construction of a pier or breakwater along the north bank or side of Tonawanda creek at Wendellville, in the county of Niagara, to protect the adjacent real estate and property from damages by water and ice, caused by the removal of earth by the State in the construction of a bridge over said creek and part of the tow-path of the Erie canal, and making an appropriation therefor," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Donaldson	Hornidge	McCarren	Saunders
Ainsworth	Dunlap	Husted	McKenzie	Savery
Aspinall	Edwards	Kelly	McLaughlin	Saxton
Baker, A. B.	Endres	Kent	McMaster	Schaaft
Baker, A. H.	Fish	Kimball	Miley	Smith, T.
Barton	Fitts	King	Miller	Sperry
Bauer	Gibbs	Lane	Moody	Stevens
Blanchfield	Graham	Larmon	Murray	Tefft
Cheney	Greene	Lewis	Nixon	Towne
Comstock	Groat	Little	O'Neil	Van Gorder
Connelly	Guenther	Loder	Pearsall	Walters
Coon	Haffner	Longley	Peck	Whipple
Crosby	Hagan	Martin	Rhodes	Yates
Davidson	Hamilton	Maynard	Rice	Yetman
Decker	Harwood	McAdam	Roesch	Young
Demarest	Hayes	McCann	Ryan	Youngman
de Peyster	Hitt			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 743) entitled "An act to provide for the construction of highways between towns in the same county, divided by a navigable tidal stream," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

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{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	de Peyster	Hamilton	McCann	Savery
Aspinall	Dinehart	Hornidge	McCarren	Saxton
Baker, A. B.	Donaldson	Hughes	McKenzie	Schaaff
Baker, A. H.	Duffy	Kelly	McLaughlin	Smith, C.
Barton	Dunham	Kent	Mead	Smith, T.
Bauer	Edwards	Kimball	Miley	Sperry
Blake	Endres	King	Miller	Stevens
Blanchfield	Fish	Lane	Moody	Sullivan
Cheney	Fitts	Larmon	Murray	Tefft
Comstock	Gibbs	Lewis	Nixon	Towne
Connelly	Graham	Little	O'Neil	Walters
Coon	Greene	Loder	Pearsall	Whipple
Cottrell	Groat	Longley	Rhodes	Yates
Crosby	Guenther	Martin	Ryan	Yetman
Davidson	Haffner	Maynard	Saunders	Youngman
Decker	Hagan	McAdam		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 589) entitled "An act providing the manner in which the compensation of overseers of the poor of the several towns in this State shall be fixed," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 4 }

Those who voted in the affirmative, were

Acker	Connelly	Fitts	Lewis	Rhodes
Adams	Cottrell	Gibbs	Little	Rice
Ainsworth	Crosby	Greene	Loder	Savery
Andrus	Curtis	Groat	Longley	Schaaff
Aspinall	Dante	Guenther	Martin	Smith, C.
Baker, A. B.	Davidson	Haffner	Maynard	Sperry
Baker, A. H.	Decker	Hagan	McAdam	Sullivan
Barton	de Peyster	Hamilton	McCann	Tefft
Bauer	Dinehart	Harwood	McCarren	Towne
Blake	Dinkelspiel	Hitt	McLaughlin	Treadway
Blanchfield	Donaldson	Husted	Miley	Walters
Blumenthal	Dunham	Kelly	Miller	Yates
Bush, R. P.	Dunlap	Kent	Moody	Yetman
Cheney	Edwards	King	Murray	Young
Clark, J.	Endres	Lane	O'Neil	Youngman
Comstock	Fish	Larmon	Pearsall	

Those who voted in the negative, were

McKenzie	Mead	Saunders	Whipple
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Adams, and by unanimous consent, Assembly bill No. 1108, entitled "An act to amend chapter 716 of the Laws of 1887, entitled 'An act in relation to the electrical conductors in the city of New York,'" now on the order of third reading, was recommitted to the committee on affairs of cities.

The Senate returned the concurrent resolution returning to the Governor, without amendment, Assembly bill No. 379, entitled "An act to amend section 4 of title 13 of chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,' and the several acts amendatory thereof, relating to the Buffalo fire department," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate bill (Rec. No. 372) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to police justices and police courts," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 73 }
{ NOES 5 }

Those who voted in the affirmative, were

Acker	Coon	Guenther	McAdam	Savery
Adams	Dante	Haffner	McCann	Schaaff
Ainsworth	Decker	Hagan	McCarren	Sheehan
Aspinall	de Peyster	Hamilton	McKenzie	Smith, C.
Baker, A. B.	Dinehart	Harwood	McLaughlin	Smith, M. A.
Baker, A. H.	Donaldson	Hitt	Mead	Smith, T.
Bauer	Duffy	Husted	Miley	Sullivan
Blake	Dunham	Kelly	Murray	Towne
Blanchfield	Dunlap	Kent	Newschafer	Treadway
Blumenthal	Endres	Lane	O'Neil	Walters
Bush, R. P.	Fish	Little	Pearsall	Whipple
Cheney	Gibbs	Loder	Roesch	Yates
Clark, J.	Graham	Longley	Ryan	Yetman
Comstock	Greene	Martin	Saunders	Young
Connolly	Groat	Maynard		

Those who voted in the negative, were

Crosby	Dinkelspiel	King	Moody	Saxton
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Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 457) entitled "An act to amend chapter 463 of the Laws of 1853, entitled 'An act to provide for the incorporation of life and health insurance companies and casualty insurance companies,

and in relation to agencies for such companies,' and the acts amendatory thereof" (Rec. No. 190), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Decker	Hagan	Maynard	Sheehan
Adams	Dinehart	Haggerty	McAdam	Smith, T.
Ainsworth	Dinkelspiel	Hamilton	McCann	Sperry
Aspinall	Dunham	Harwood	McCarren	Stevens
Baker, A. B.	Dunlap	Hitt	McKenzie	Sullivan
Baker, A. H.	Edwards	Hornidge	Mead	Tefft
Bauer	Endres	Husted	Newschafer	Towne
Blanchfield	Enz	Kelly	Nixon	Treadway
Blumenthal	Fish	Kent	Rhodes	Van Gorder
Bush, R. P.	Fitts	King	Rice	Walters
Clark, J.	Gibbs	Lane	Roesch	Whipple
Comstock	Graham	Larmon	Saunders	Yates
Connelly	Greene	Little	Savery	Yetman
Coon	Groat	Loder	Saxton	Young
Cottrell	Guenther	Longley	Schaaff	Youngman
Davidson	Haffner	Martin		

For the negative,
de Peyster

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill entitled "An act to improve the sanitary condition of the Capitol, and making an appropriation therefor" (No. 1081), with a message that they have concurred in the passage of the same, with the following amendments:

Strike out the entire bill and substitute therefor the following:

AN ACT making an appropriation for continuing work upon the Capitol and appointing commissioners to supervise the plans thereof and the work thereon.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of three hundred and seventy-two thousand one hundred and twenty-five dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the treasury belonging to the general fund not otherwise appropriated, payable by the Treasurer on the warrant of the Comptroller upon the order of the Commissioner of the New Capitol, with the approval of the supervising commissioners hereinafter appointed, for continuing work upon the Capitol during the present year, apportioned as follows:

For construction of the western staircase to the third floor, and for corridors adjoining the western staircase on the first and second floors, the sum of one hundred and seventy-nine thousand one hundred and seventy-five dollars.

For repairs to the golden corridor and old Court of Appeals room, and adjoining rooms and corridors; for partitions dividing the golden corridor into committee rooms and for forming corridor along the old Court of Appeals room; and for fitting up and furnishing rooms for the Court of Appeals, second division, the sum of ninety-five thousand four hundred and fifty dollars.

For necessary fixtures and furniture for the State Library apartments, not contemplated by the original plan or estimate, the sum of twenty thousand dollars.

For the necessary materials and work for the purpose of improving the sanitary condition of the Capitol, upon plans approved of by the State Board of Health, the sum of fifty-six thousand dollars.

For lining gutters of center section, north and south sides with copper, to repair gutters on the east side, and for repairs to roofs, and for recutting and resetting stone in a portion of the dormer windows, the sum of sixteen thousand and five hundred dollars.

For traveling expenses of the supervising commissioners, and for the employment of a clerk, and other incidental expenses, the sum of five thousand dollars.

§ 2. No part of the sum herein appropriated shall be expended, except for procuring plans and specifications, until the Commissioner of the New Capitol shall submit to the said supervising commissioners detailed plans and specifications for all the work above enumerated, and an estimate of the cost of the material and work required to complete the same, together with his certificate that all the work can be done and all the materials therefor purchased within the limits of this appropriation, nor until a majority of the said supervising commissioners shall have approved, in writing indorsed thereon, the plans and specifications so prepared, which plans and specifications, so approved with the said certificate of the said Commissioner of the New Capitol and the approval of said supervising commissioners, shall be filed and be preserved in the office of the Comptroller.

§ 3. The Lieutenant-Governor, the President pro tempore of the Senate, the Speaker of the Assembly and the Commissioner of the New Capitol, are hereby appointed supervising commissioners of the Capitol, whose duty it shall be to examine the plans and specifications submitted by the Commissioner of the New Capitol, to suggest alterations of the same if they so desire, to approve the same when completed to their satisfaction, and to indorse thereon such approval, and it shall be their further duty to see that the materials furnished and the work done shall be in accordance with the plans and specifications so approved. A majority of said supervising commissioners shall constitute a quorum, and the assent of a majority of said supervising commissioners shall be required to validate any transaction of business on their part.

§ 4. The Lieutenant-Governor shall be the chairman of such board of supervising commissioners. Within ten days after the passage of this act, and on a day to be designated in writing by the Lieutenant-

Governor to the supervising commissioners, they shall meet at twelve o'clock, noon, at the office of the Lieutenant-Governor, in the Capitol, and shall elect one of their number to be secretary of the board. The secretary shall keep a true record of their proceedings in a book to be provided by him for that purpose, which shall be filed with the Comptroller upon the completion of their duties.

§ 5. All payments for work done or materials furnished under the provisions of this act shall be made upon the order of the Commissioner of the New Capitol, indorsed approved by the chairman and secretary of the said supervising commissioners. The said supervising commissioners shall serve without compensation, but the necessary expenses incurred by them while in the discharge of their duties, including such expenses incurred in the city of Albany by those commissioners not residing in Albany, shall be allowed and paid to them out of the appropriation herein made.

§ 6. This act shall take effect immediately.

The question recurring upon concurring in the amendments of the Senate,

Mr. Fish moved that said bill be referred to the committee on ways and means.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

A message from the Senate was received and read, in the words following:

IN SENATE, *May 15, 1889.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 500) entitled "An act authorizing and empowering medical schools to acquire property."

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. Robertson, and by unanimous consent, the same was amended as follows:

Strike out all of said bill and insert the following:

AN ACT to amend chapter 438 of the Laws of 1886, entitled "An act to create the New York Post-Graduate Medical School and Hospital."

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 1 of chapter 438 of the Laws of 1886, entitled "An act to create the New York Post-Graduate Medical School and Hospital," is hereby amended so as to read as follows:

§ 1. Daniel B. St. John Roosa, Frederick R. Sturgis, Thomas E. Satterthwaite, Andrew H. Smith, William Oliver Moore, Bach McEvers Emmett, Clarence C. Rice, James L. Killen, and their successors, as hereinafter provided, shall be, and are hereby ordained, constituted and appointed a body politic and corporate, in fact and in name, by the name of the New York Post-Graduate Medical School and Hospital, and by that name they and their successors may have and shall have succession and shall be in law capable of suing and being sued, pleading and being impleaded, defending and being defended, in all courts and places whatsoever, in all manner of action and actions, suits, matters, complaints, and all causes whatsoever; and they and

their successors may have and use a common seal, and may change and alter the same at their pleasure; and they and their successors, by the name and style of the New York Post-Graduate Medical School and Hospital, may acquire, take and hold by purchase, gift, devise or bequest, real or personal estate not exceeding in value \$2,000,000, and may let, mortgage, lease or sell any or all of said real or personal estate for the purposes in this act provided.

And as amended passed, reëngrossed, and ordered to be sent to the Assembly for concurrence.

By order.

JOHN S. KENYON, *Clerk*.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dante	Guenther	McAdam	Saxton
Adams	Davidson	Haffner	McCann	Schaaff
Ainsworth	Decker	Hamilton	McCarren	Sheehan
Aspinall	Demarest	Harwood	McLaughlin	Smith, C.
Baker, A. B.	Dinehart	Hitt	Mead	Smith, M. A.
Baker, A. H.	Dinkelspiel	Hughes	Miley	Smith, T.
Bauer	Duffy	Husted	Moffitt	Sperry
Blake	Dunham	Kelly	Moody	Towne
Blanchfield	Edwards	Kent	Murray	Townsend
Blumenthal	Endres	King	Nixon	Treadway
Bush, R. P.	Fish	Lane	O'Neil	Van Gorder
Comstock	Fitts	Larmon	Pearsall	Walters
Connolly	Gibbs	Lewis	Rice	Whipple
Coon	Graham	Little	Roesch	Yates
Cottrell	Greene	Loder	Saunders	Yetman
Curtis	Groat	Longley	Savery	Youngman

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Guenther	Longley	Rhodes
Ainsworth	de Peyster	Haffner	Martin	Rice
Aspinall	Dinehart	Haggerty	Maynard	Roesch
Baker, A. B.	Dinkelspiel	Hamilton	McAdam	Ryan
Baker, A. H.	Donaldson	Harwood	McCann	Savery
Bauer	Dunham	Hitt	McKenzie	Smith, M. A.

Blanchfield	Dunlap	Hornidge	McLaughlin	Smith, T.
Blumenthal	Edwards	Hughes	Mead	Sperry
Bush, G. H.	Endres	Husted	Miley	Stevens
Cheney	Enz	Kelly	Moody	Strassburg
Comstock	Fish	King	Mullaney	Tefft
Coon	Fitts	Lane	Murray	Towne
Cottrell	Gibbs	Larmon	Newschafer	Van Gorder
Crosby	Graham	Lewis.	Nixon	Walters
Curtis	Greene	Little	O'Neil	Whipple
Davidson	Groat	Loder	Pearsall	Yetman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

The Senate returned the bill entitled "An act to amend chapter 294 of the Laws of 1869, entitled 'An act to incorporate the fire department of the city of Binghamton'" (No. 441), with a message that they have concurred in the passage of the same, with the following amendments:

Page 2, line 10, engrossed bill, strike out the word "May" and insert the word "October."

Same page, line 12, strike out the word "May" and insert the word "October."

Same page, line 16, change the word "year" to "years."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Davidson	Guenther	Maynard	Savery.
Adams	Decker	Haffner	McAdam	Saxton
Ainsworth	Demarest	Haggerty	McCann	Schaaff
Aspinall	de Peyster	Harwood	McKenzie	Smith, C.
Baker, A. B.	Dinehart	Hayes	McLaughlin	Smith, T.
Baker, A. H.	Dinkelspiel	Hitt	Mead	Sullivan
Bauer	Donaldson	Hornidge	Miley	Tefft
Blanchfield	Dunham	Hughes	Miller	Towne
Blumenthal	Dunlap	Kelly	Moody	Townsend
Cheney	Edwards	Lane	Murray	Treadway
Clark, J.	Endres	Larmon	Nixon	Van Gorder
Comstock	Fish	Lewis	O'Neil	Walters
Connelly	Fitts	Little	Pearsall	Whipple
Coon	Gibbs	Loder	Rhodes	Yates
Cottrell	Graham	Longley	Rice	Yetman
Cronin	Greene	Martin	Roesch	Young
Dante	Groat	Mase	Saunders	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

A message from the Senate was received and read, in the words following:

IN SENATE, *May* 14, 1889.

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill Int. No. 770, entitled "An act to amend an act entitled 'An act to incorporate the Faxon Hospital in the city of Utica,' passed March 14, 1873." (Rec. No. 299.)

The vote upon the final passage of said bill having been reconsidered, On motion of Mr. Coggeshall, and by unanimous consent, the same was amended as follows:

Insert in section 1, at the beginning thereof, the following:

"Section 4 of chapter 88 of the Laws of 1873, entitled 'An act to incorporate the Faxon Hospital in the city of Utica,' is hereby amended to read as follows:

"§ 4. The said board of trustees shall organize themselves as a board of managers by electing from their number a president, vice-president, secretary and treasurer, who shall hold such offices until their successors shall be elected. The board of trustees is hereby authorized to increase the number of trustees of said corporation, so that the total number of trustees of said corporation shall be forty, by electing new members of such board, and women, whether married or unmarried, shall be eligible for such election and competent to act as such trustees."

Insert as section 2 the following:

"The said act is hereby further amended by making sections 8 and 9 thereof read 10 and 11 thereof respectively, and by adding to said act two new sections thereof to be known as sections 8 and 9 thereof respectively, and read as follows."

Make "§ 3" of said bill read "§ 9."

In the last line of said bill make "§ 2" read "§ 3."

And, as amended, passed, reengrossed and ordered to be sent to the Assembly for concurrence.

By order.

JOHN S. KENYON, *Clerk*.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dante	Guenther	McCann	Schaaff
Adams	Davidson	Haffner	McKenzie	Sheehan
Ainsworth	Demarest	Haggerty	McLaughlin	Smith, T.
Baker, A. B.	de Peyster	Hamilton	Mead	Sperry
Baker, A. H.	Dinehart	Harwood	Miller	Strassburg
Barton	Dinkelspiel	Hughes	Moody	Sullivan
Bauer	Donaldson	Husted	Murray	Towne
Blake	Duffy	Kelly	Newschafer	Townsend

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Blanchfield	Dunham	Kent	Nixon	Treadway
Blumenthal	Dunlap	King	O'Neil	Upson
Bush, G. H.	Edwards	Lane	Pearsall	Van Gorder
Cheney	Endres	Lewis	Rhodes	Walters
Comstock	Enz	Little	Rice	Whipple
Connelly	Fish	Loder	Roesch	Yates
Coon	Fitts	Longley	Saunders	Yetman
Cottrell	Graham	Martin	Savery	Young
Crosby	Greene	Maynard	Saxton	Youngman
Curtis	Groat			

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Groat	McCann	Rice
Ainsworth	Dante	Guenther	McCarren	Roesch
Aspinall	Davidson	Haffner	McKenzie	Ryan
Baker, A. B.	Demarest	Haggerty	McLaughlin	Saunders
Baker, A. H.	de Peyster	Hamilton	Mead	Savery
Barton	Dinehart	Harwood	Mesick	Saxton
Bauer	Dinkelspiel	Hughes	Miley	Smith, C.
Blake	Donaldson	Husted	Miller	Smith, M. A.
Blanchfield	Duffy	Kelly	Moffitt	Smith, T.
Blumenthal	Dunlap	Kimball	Murray	Sullivan
Bush, R. P.	Endres	Lane	Newschafer	Treadway
Cheney	Enz	Larmon	Nixon	Walters
Comstock	Fish	Lewis	O'Neil	Whipple
Connelly	Fitts	Martin	Pearsall	Yetman
Coon	Graham	Maynard	Peck	Young
Cottrell	Greene	McAdam	Rhodes	Youngman

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same, as amended.

Mr. C. Smith offered for the consideration of the House a resolution, in the words following:

Resolved, That the evening session of this House, to-day, adjourn at 10 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate sent for concurrence the following entitled bill:

"An act to confer on committing magistrates power to intrust commitments issued by them to suitable persons for execution" (Rec. No. 407), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Senate returned the bill entitled "An act making an appropriation for the purpose of deepening the outlet of Chautauqua lake, from

the Jamestown docks to a point three and one-quarter miles therefrom" (No, 870), with a message that they have concurred in the passage of the same, with the following amendment :

Add at the end of section 1 the following :

"And the balance remaining in the treasury not expended of the sum of \$30,000, appropriated by chapter 674 of the Laws of 1887, for the purpose of deepening the outlet of Chautauqua lake to a depth of ten feet, being the sum of \$6,726.23, is hereby reappropriated for the same purpose."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Guenther	Martin	Roesch
Adams	Curtis	Haffner	Mase	Saunders
Ainsworth	Dante	Hagan	Maynard	Savery
Aspinall	Davidson	Hamilton	McAdam	Saxton
Baker, A. B.	Decker	Harwood	McCann	Schaaff
Baker, A. H.	Demarest	Hayes	McKenzie	Sheehan
Barton	de Peyster	Hornidge	McLaughlin	Smith, C.
Bauer	Dinehart	Hughes	Mead	Sperry
Blake	Dinkelspiel	Kelly	Miley	Stevens
Blanchfield	Donaldson	Kent	Moody	Strassburg
Blumenthal	Duffy	Kimball	Nixon	Townsend
Bush, G. H.	Edwards	King	O'Neil	Treadway
Bush, R. P.	Endres	Lane	Pearsall	Walters
Comstock	Gallup	Larmon	Peck	Yates
Connelly	Greene	Little	Rhodes	Yetman
Coon	Groat	Loder	Rice	Youngman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

The Senate returned the bill entitled "An act to amend chapter 561 of the Laws of 1881, entitled 'An act authorizing the city of Elmira to issue bonds for the purpose of establishing a permanent system of sewerage in said city and in relation to the construction of said sewerage,' and acts amendatory thereof" (No. 698), with a message that they have concurred in the passage of the same, with the following amendments:

Page 2, line 9, engrossed bill, strike out after the word "shall" down to and including the word "city" in line 13, and insert the words "determine what new sewerage shall be constructed and in what wards, what old sewerage should be removed, what alterations, if any, should be made in old sewerage, and what amount of money is necessary to use in such construction, alteration and removal, and at what times and in what amounts the bonds of said city herein provided for should be issued. This determination, when made, shall be

reported in writing to the common council of said city, who shall thereupon cause the same to be published at least once in each newspaper published in said city, and said common council shall fix a time and place in said city, subsequent to such publication, which time and place shall be advertised for at least two weeks in the newspapers published in said city, for the holding of a special election at which the question whether the amount named in the report of said commissioners shall be raised for the purposes therein set forth, shall be submitted to two persons entitled to vote at special elections in said city in pursuance of section 71 of the charter of said city, and all the provisions of said section 71, relating to special elections in said city, including the notices of election and the place or places for holding the same, shall apply to the election hereby provided for. And in case a majority of all the ballots cast at said election shall be for such expenditure, then in that event."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Demarest	Haffner	Longley	Roesch
Adams	de Peyster	Hagan	Mase	Saunders
Aspinall	Dinehart	Hamilton	McAdam	Savery
Baker, A. B.	Dinkelspiel	Harwood	McCarren	Saxton
Baker, A. H.	Donaldson	Hayes	McKenzie	Schaaff
Blake	Duffy	Hitt	McLaughlin	Sperry
Blanchfield	Dunham	Hornidge	Mead	Strassburg
Blumenthal	Dunlap	Hughes	Miller	Townsend
Bush, R. P.	Edwards	Husted	Moody	Treadway
Carson	Endres	Kelly	Murray	Van Gorder
Connelly	Enz	Kent	Newschafer	Walters
Coon	Fish	Kimball	Nixon	Whipple
Cottrell	Fitts	Lane	O'Neil	Yates
Curtis	Graham	Larmon	Pearsall	Yetman
Dante	Greene	Little	Peck	Young
Davidson	Groat	Loder	Rice	Youngman
Decker	Guenther			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act regulating the commitment, custody and discharge of the insane" (No. 986), with a message that they have concurred in the passage of the same, with the following amendments:

Page 1, line 6, strike out the line.

Same page, line 19, after the word "superintendent" insert the words "or overseer."

Same page, line 25, strike out the line.

Page 1½, line 8, strike out the line.

Same page, line 10, after the word "poor" insert the words "of a county or an overseer of the poor of a town."

Same page, line 12, strike out the parenthesis marks, and after the word "act" insert the words "in accordance with."

Same page, line 13, strike out parenthesis marks, and after the word "superintendent" insert the words "or overseer of the poor."

Same page, line 14, strike out parenthesis marks, and after the word "writing" insert the words "in accordance with."

Same page, line 15, after the word "him" insert the words "under oath."

Same page, line 16, strike out parenthesis marks, and after the word "examination" insert the words "in accordance with."

Same page, line 19, after the word "superintendent" insert the words "or overseer."

Same page, line 22, after the word "superintendent" insert the words "or overseer."

Same page, line 24, after the word "superintendent" insert the words "or overseer."

Same page, line 26, strike out parenthesis marks, and after the word "visit" insert the words "in accordance with."

Same page, line 30, strike out the line.

Same page, line 32, after the word "superintendent" insert the words "or overseer," and after the word "the," second occurring, insert the word "sworn."

Page 2, line 8, strike out parenthesis marks, and after the word "order" insert the words "in accordance with."

Same page, line 13, after the word "certificate" insert the words "and answers obtained, in accordance with form D., shall be transmitted with the order of commitment to the superintendent of the respective asylums and the original thereof."

Same page, line 20, strike out the line.

Same page, line 23, strike out the word "against" and insert the word "concurring."

Same page, line 24, strike out the words "of him."

Same page, line 28, strike out the line.

Same page, line 23, after the word "able" insert the word "and."

Page 2½, line 17, strike out the line.

Same page, line 25, strike out the line.

Same page, line 29, strike out parenthesis marks, and after "patients," insert the words "in accordance with."

Page 3, line 15, strike out the line.

Same page, line 25, strike out the line.

Page 4, line 6, after the word "institution" add the words "and provided such certificate is approved in writing by the superintendent of the respective asylums after personal examination of said person."

Same page, line 11, strike out the word "clear."

Same page, line 17, strike out the line.

Same page, line 21, after the word "commitment" insert the words "in accordance with."

Same page, line 25, strike out the line.

Page 4½, strike out line 7.

Same page, strike out line 21.

Page 5, line 6, strike out the word "unjustly" and insert the word "improperly."

Same page, strike out lines 14 and 27.

Page 5½, strike out line 8.

Same page, line 14, change the word "charges" to "charge."

Add at end of section 17 the words "But nothing in this act shall be construed to prevent the discharge or transfer of the patients of one asylum of the insane to another as now provided by law."

Same page, strike out lines 22 and 33.

Page 6, strike out line 6.

Amend section 22 so as to read as follows:

§ 22. The following form shall be used in carrying out the provisions of this act:

FORMS.

A.

PETITION FOR JUDGE'S CERTIFICATE AS EXAMINER IN LUNACY.

STATE OF NEW YORK, }
COUNTY OF } ss.:

To the Hon.

Respectfully shows your petitioner,, of, in the county aforesaid, who, desiring to be certified an Examiner in Lunacy, under chapter, Laws of 18.., deposes and says under oath that he is a graduate of, an incorporated medical college in the State of, a permanent resident of the State of New York, has been in the actual practice of his profession for the space of years next preceding the date hereof, and that his reputable character is vouched for by and, of, whose certificates are hereunto annexed.

Sworn to before me, the }
.. day of, 18.. }

.....

JUDGE'S CERTIFICATE OF QUALIFICATION.

STATE OF NEW YORK, }
COUNTY OF } ss.:

I hereby certify that, of, is personally known to me as a reputable physician, and is possessed of the qualifications required by section 2, chapter, Laws of 1889.

.....,

Judge of

B.

INFORMATION OF INSANITY.

To, Esquire, one of the justices of the peace of the town of, in the county of, State of

Sir.—Your informant respectfully represents that one, residing at, is insane, and a fit subject for custody and

treatment in a hospital for the insane, because his disease is of such a nature or in such a stage as to require, for his recovery, care and treatment while under legal restraint.

C.

COMMISSION TO PHYSICIAN.

STATE OF }
 COUNTY. }

OFFICE OF THE

To, a legally qualified physician and examiner in lunacy, of county, State of

Information in due form of law having been laid before me, alleging that one, residing at, is insane, and is a fit subject for custody and treatment in a hospital for the insane, you are hereby appointed to visit or see said person, and make a personal examination touching the truth of such allegations, and touching ... actual condition.

Accepting this appointment, you will proceed at once to make such examination and forthwith report thereon to me, under oath, at this office, as the law requires in such cases, for which purpose the necessary blanks accompany this commission.

Witness my hand and official seal hereinto attached this day of 188..

.....
Justice of the Peace.

.....
Superintendent of the Poor.

.....
Overseer of the Poor.

D.

RETURN OF PHYSICIAN.

To

SIR: Pursuant to your commission to me of the date of
, 188., I have this day seen, the person named in said commission as insane, and have made a personal examination in case, as required.

As the result of such examination, I hereby certify that according to my judgment said person is insane, and a fit subject for custody and treatment in a hospital for the insane. I also certify that I have stated correctly the answers I have obtained from the best sources within my knowledge, and from my own observation, to the interrogatories furnished, which interrogatories and answers are hereunto appended, together with the special recommendation in h.. case as required by law.

....., M. D.

Sworn to and subscribed before me, }
 this day of, 188.. }

.....

(a) *Inquiries were made and answers obtained as follows* (give names of persons of whom inquiries were made):—

1. What is the patient's name and age? Married or single? If children, how many? If a mother, age of youngest child.

2. (a) Where was the patient born? (b) Where was the patient's father born? (c) Where was the patient's mother born?

3. Where is his or her place of residence (legal settlement)?

4. What has been the patient's occupation? If a woman, husband's occupation?

5. Is this the first attack? If not, when did others occur, and what were their duration?

6. When were the first symptoms of *this* attack manifested, and in what way?

7. Does the disease appear to be increasing, decreasing or stationary?

8. Is the disease variable, and are there rational intervals? If so, do they occur at regular intervals?

9. On what subject or in what way is derangement now manifested? State fully.

10. Has the patient shown any disposition to injure others?

11. Has suicide ever been attempted? If so, in what way? Is the propensity *now* active?

12. Is there a disposition to filthy habits, destruction of clothing, breaking glass, etc.?

13. What relatives, including grand-parents and cousins, have been insane?

14. Did the patient manifest any peculiarities of temper, habits, disposition or pursuits, before the accession of the disease,—any predominant passions, religious impressions, etc.?

15. Was the patient ever addicted to intemperance in any form, or to the habitual use of any narcotics?

16. Has the patient been subject to any bodily disease, epilepsy, suppressed eruption, discharges of sores, or ever had any injury of the head?

17. Has any restraint or confinement been employed? If so, of what kind and how long?

18. What is supposed to be the cause of the disease?

19. What treatment has been pursued for the relief of the patient? Mention particulars and the effects.

(b) *Facts learned on personal examination.* (Mention every appearance or condition of the person bearing on the question of existing insanity.)

I therefore recommend that be committed as insane because (1) he has perpetrated acts dangerous to himself, or to others, or to property; or, (2) it is reasonably certain by his threats, or otherwise, that he has dangerous tendencies, or uncontrollable propensities towards crime; or (3) he wanders about and is exposed to want of food or shelter, or to accidents; or, (4) he is ill-treated or neglected by relatives or friends; or, (5) his disease is of such a nature, or in such a stage as to require for his recovery, care and treatment, while under legal restraint.

E.

RETURN OF A JUSTICE OF THE PEACE OR SUPERINTENDENT OF THE POOR,
OR OVERSEER OF THE POOR TO THE JUDGE OF A COURT OF RECORD.

To the Hon., judge of the court in the
county of, State of

SIR: I herewith transmit to you two medical certificates of insanity
in the case of, in the town of, in the
county of, State of, made respectively by
....., M. D., and, M. D., medical examiners in
lunacy, qualified in accordance with the laws of this State, and acting
under commissions severally issued by me. I hereby certify to the
correctness of these certificates and approve of their finding, which I
have verified by a personal examination of said

.....
Justice of the Peace.

.....
Superintendent of the Poor.

.....
Overseer of the Poor.

..... 18..

F.

ORDER OF COMMITMENT.

STATE OF }
..... COUNTY. }

OFFICE OF

To the Superintendent of the, for the insane:

On the receipt of the sworn certificates of two duly qualified
examiners in lunacy, transmitted by, Esquire, one of
the justices of the peace, or overseer of the poor of the town
of, or superintendent of the poor in the county of
....., certifying to the insanity of, of the
town of and approved by the said justice or overseer
or superintendent by whom said was personally visited
and examined, I have seen and examined said respondent
alleged to be insane, because it was not deemed necessary or advisable
to do so, for the reason that, and said respondent has
been duly notified of proceedings taken in h... case and of the time
and place appointed for hearing, and had an opportunity to be heard
thereon. The motion to take further testimony or to have a jury
summoned was denied for the following reasons:

It appears to me, upon a full hearing and consideration, and upon
evidence, statement and certificates required by law, that said res-
pondent is an insane person, and a proper subject for the custody
and treatment of an institution for the insane, a State insane asylum;
and I so find. Therefore, it is ORDERED that *he* be committed to the
....., there to be detained until discharged according to
law.

G.

WARRANT TO REMOVE TO HOSPITAL.

This warrant, with the custody of the said, is delivered to for execution.

Given under my hand, with my official seal attached, this day of, 188...

H.

RETURN OF SUPERINTENDENT.

ASYLUM FOR THE INSANE, }
, 188.. }

I have this day received the above-named patient, with a duplicate of this warrant and the physician's return in the case, at the hands of, attended by

Witness my hand.

.....

Superintendent.

§ 23. This act shall take effect on the 1st day of October, 1889.

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
 { NOES 00 }

Those who voted in the affirmative, were

Acker	Davidson	Groat	Little	Roesch
Ainsworth	Decker	Haffner	Loder	Ryan
Aspinall	Demarest	Hagan	Longley	Saunders
Baker, A. B.	de Peyster	Haggerty	Martin	Savery
Baker, A. H.	Dinehart	Hamilton	Mase	Saxton
Barton	Dinkelspiel	Harwood	McCann	Schaaff
Bauer	Donaldson	Hitt	McKenzie	Smith, C.
Blake	Duffy	Hornidge	Mead	Smith, M. A.
Blanchfield	Edwards	Hughes	Miley	Smith, T.
Blumenthal	Endres	Husted	Miller	Sperry
Bush, R. P.	Enz	Kelly	Moody	Stevens
Carson	Fish	Kent	Murray	Van Gorder
Connelly	Gallup	Kimball	Newschafer	Yates
Coon	Gibbs	King	O'Neil	Yetman
Cottrell	Graham	Lane	Pearsall	Youngman
Curtis	Greene	Larmon	Rice	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER, }
ALBANY, April 26, 1889. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 585, entitled "An act to amend chapter 314 of the Laws of 1874, entitled 'An act to establish a board of police and fire commissioners of the city of Utica.'"

DAVID B. HILL.

Mr. Kent offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill No. 585, entitled "An act to amend chapter 314 of the Laws of 1874, entitled 'An act to establish a board of police and fire commissioners of the city of Utica.'" be returned to the Governor without amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act to amend title 17 of chapter 20 of part 1 of the Revised Statutes, entitled 'Of Dogs,'" with a message that they have concurred in the passage of the same, with the following amendments:

Add as section 4 the following:

"§ 4. Nothing in this act contained, or in title 17 of chapter 20 of part 1 of the Revised Statutes, shall be deemed to apply to any dog, bitch or puppy while the same is owned or possessed by any person or persons, association or associations, corporation or corporations in this State, engaged in the business of breeding or rearing pedigreed or registered dog stock for the purpose of exhibition under the rules and regulations governing the American Kennel Club."

Change "§ 4" to "§ 5."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 68 }
{ NOES 21 }

Those who voted in the affirmative, were

Adams	de Peyster	Haffner	Martin	Smith, M. A.
Ainsworth	Dinehart	Hagan	Mase	Smith, T.
Aspinall	Dinkelspiel	Harwood	McAdam	Sperry
Bauer	Donaldson	Hitt	McCann	Stevens
Blake	Duffy	Hornidge	McCarren	Sullivan
Blanchfield	Dunham	Hughes	McLaughlin	Tefft
Blumenthal	Dunlap	Husted	Miley	Van Gorder
Clark, J.	Enz	Kelly	Moody	Walters
Comstock	Fish	Kent	Murray	Whipple
Connelly	Fitts	King	Newschafer	Yates

Coon	Gibbs	Lane	Nixon	Yetman
Cronin	Graham	Little	Saxton	Young
Crosby	Greene	Loder	Smith, C.	Youngman
Curtis	Groat	Longley		

Those who voted in the negative, were

Acker	Dante	Endres	McKenzie	Rhodes
Barton	Davidson	Hamilton	Mead	Saunders
Bush, R. P.	Demarest	Lewis	Miller	Savery
Carson	Edwards	Maynard	Pearsall	Schaaff
Cottrell				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

Mr. Husted, from the committee on ways and means, to which was referred the bill No. 1081 (which was amended in the Senate), entitled "An act to improve the sanitary condition of the Capitol, and making an appropriation therefor," reported in favor of the adoption of the following resolution :

Resolved, That the Assembly non-concur in the amendments of the Senate, that a committee of conference be appointed on the part of the House and request the appointment of a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. Husted, M. A. Smith, Hamilton, Sheehan and Greene.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have non-concurred in their amendments, and have appointed a committee of conference thereon, and request the appointment of a like committee on the part of the Senate.

The Senate sent for concurrence the following entitled bill:

"An act to amend chapter 14 of the Laws of 1880, entitled 'An act to further amend chapter 143 of the Laws of 1861, entitled An act to amend and consolidate the several acts in relation to the charter of the city of Rochester, and to consolidate therewith the several acts in relation to the charter of said city' (Rec. No. 408), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Bauer, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Groat	Martin	Pearsall
Adams	Curtis	Haffner	Mase	Rhodes
Ainsworth	Davidson	Hagan	Maynard	Ryan

Andrus	Decker	Haggerty	McAdam	Savery
Aspinall	Demarest	Harwood	McCann	Saxton
Baker, A. B.	Dinehart	Hayes	McCarren	Smith, M. A.
Baker, A. H.	Donaldson	Hitt	McKenzie	Smith, T.
Barton	Duffy	Hornidge	McLaughlin	Strassburg
Bauer	Dunham	Hughes	Mead	Sullivan
Blake	Edwards	Kelly	Miley	Tefft
Blanchfield	Endres	Kent	Miller	Treadway
Blumenthal	Enz	Kimball	Moffitt	Van Gorder
Bush, G. H.	Fish	Lane	Moody	Walters
Bush, R. P.	Fitts	Larmon	Mullaney	Whipple
Carson	Gallup	Lewis	Murray	Yates
Clark, J.	Gibbs	Little	Nixon	Yetman
Comstock	Graham	Loder	O'Neil	Young
Connelly	Greene			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Ryan moved to take from the table the motion to reconsider the vote by which Senate bill, Rec. No. 22, entitled "An act to establish the compensation of the county judge of Rensselaer county," was lost.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 56 }
{ NOES 44 }

Those who voted in the affirmative, were

Andrus	Dinkelspiel	Hitt	Moffitt	Smith, M. A.
Baker, A. B.	Duffy	Hornidge	Mullaney	Smith, T.
Blake	Dunham	Kelly	Murray	Stevens
Blanchfield	Endres	Kerrigan	Newschafer	Strassburg
Blumenthal	Fitts	Longley	O'Neil	Sullivan
Bush, G. H.	Guenther	Martin	Rice	Tefft
Bush, R. P.	Graham	McCann	Roesch	Townsend
Carson	Haffner	McCarren	Ryan	Yates
Connelly	Hagan	McLaughlin	Savery	Yetman
Cronin	Harwood	Miley	Schaaff	Young
Curtis	Hayes	Miller	Sheehan	Youngman
Demarest				

Those who voted in the negative, were

Acker	Crosby	Groat	Little	Rhodes
Ainsworth	Dante	Hamilton	Loder	Saunders
Aspinall	Davidson	Husted	Maynard	Smith, C.
Baker, A. H.	Decker	Kimball	McKenzie	Sperry

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Bauer	de Peyster	King	Mead	Treadway
Clark, J.	Donaldson	Lane	Moody	Van Gorder
Comstock	Dunlap	Larmon	Nixon	Whipple
Coon	Edwards	Le Roy	Pearsall	Speaker
Cottrell	Enz	Lewis	Peck	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have non-concurred in the passage of the same.

The Senate bill (Rec. No. 320) entitled "An act to amend subdivision 10 of section 1081 of the Code of Civil Procedure, relating to jurors and courts of record," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 73 }
{ NOES 7 }

Those who voted in the affirmative, were

Acker	Coon	Guenther	Maynard	Saunders
Andrus	Curtis	Haffner	McCann	Saxton
Aspinall	Dante	Hayes	McCarren	Schaaff
Baker, A. B.	Decker	Hitt	McKenzie	Smith, T.
Baker, A. H.	Demarest	Hughes	McLaughlin	Stevens
Barton	Dinkelspiel	Husted	Mead	Sullivan
Bauer	Duffy	Kent	Miley	Tefft
Blake	Dunham	Kerrigan	Mullaney	Towne
Blumenthal	Dunlap	Kimball	Murray	Townsend
Bush, R. P.	Edwards	Larmon	Newschafer	Walters
Carson	Endres	Le Roy	Nixon	Whipple
Cheney	Fitts	Lewis	Pearsall	Yates
Clarke, C. C.	Flaherty	Loder	Rice	Young
Comstock	Graham	Longley	Roesch	Youngman
Connelly	Groat	Martin		

Those who voted in the negative, were

Cottrell	de Peyster	Donaldson	Fish	Sperry
Crosby	Dinehart			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 554) entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' so far as relates to contracts," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Endres	Le Roy	Savery
Adams	Coon	Enz	Lewis	Saxton
Ainsworth	Cottrell	Fish	Little	Schaaff
Andrus	Crosby	Fitts	Loder	Smith, T.
Aspinall	Curtis	Flaherty	Longley	Sperry
Baker, A. B.	Dante	Gallup	McAdam	Strassburg
Baker, A. H.	Davidson	Graham	McCann	Tefft
Barton	Decker	Guenther	McCarren	Towne
Bauer	Demarest	Hagan	McKenzie	Townsend
Blake	de Peyster	Haggerty	McLaughlin	Treadway
Blanchfield	Dinehart	Harwood	Mead	Walters
Blumenthal	Dinkelspiel	Hitt	Murray	Whipple
Bush, G. H.	Donaldson	Hughes	Nixon	Yates
Carson	Dunham	Kent	O'Neil	Yetman
Cheney	Dunlap	Lane	Rice	Youngman
Comstock	Edwards	Larmon	Roesch	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (Rec. No. 347) entitled "An act to amend section 64 of chapter 299 of the Laws of 1883, entitled 'An act to provide for the enrollment of the militia, for the organization and government of the National Guard of the State of New York, and for the public defense, and entitled the Military Code,' as amended by chapter 412 of the Laws of 1886," having been announced for a third reading,

On motion of Mr. Yates, and by unanimous consent, the same was amended as follows:

Strike out all after the enacting clause and insert the following:

SECTION 1. Section 49 of chapter 299 of the Laws of 1883, entitled "An act to provide for the enrollment of the militia, for the organization and government of the National Guard of the State of New York, and for the public defense, and entitled the Military Code," is hereby amended so as to read as follows:

§ 49. Whenever any enlisted man of the National Guard shall have performed service therein for the term of enlistment, or for the term for which he may have reënlisted, properly uniformed, armed and equipped, according to the provisions of this act, and shall have attended an average of sixty per centum of the drills and parades of his organization in each year, or in case of non-commissioned staff officers, company, quartermaster and veterinary sergeants and musicians, shall have performed his proper duties regularly, unless excused by proper authority, the commander of the division, brigade, regiment or battalion to which he belongs, or in case of a troop, battery or command not a part of a regiment or battalion, the commander of the brigade or division to which it is attached, shall, upon the certificate of his troop, battery or company commander, to that effect, and that he has turned in to the proper officer, all State, regimental and company property, then in his possession, grant him a full and honorable discharge from further service in the State forces except in

time of insurrection or invasion. Discharges for physical disability shall be granted upon the certificate of the regimental or battalion surgeon, and in case of a troop, battery, or of a company, not a part of a regiment or a battalion, of the assistant surgeon of such troop, battery or company, or of the surgeon of the division or brigade to which such troop, battery or company is attached. The commander-in-chief or the commander of a division or of a brigade may, for sufficient reason, and in his discretion, discharge enlisted men under his command, with or without their consent, at any time, upon the recommendation of the commander of the troop, battery or company, with the approval of the commander of the regiment or battalion to which they belong; but no enlisted man shall be honorably discharged from service unless he produces the certificate of his immediate commanding officer that he has turned over or satisfactorily accounted for all property issued to him. Provided, however, that no such discharge shall be granted by the commander-in-chief or any commander of a division or brigade before the expiration of the term of the enlisted man, without his consent, until after he has had ten days notice of the grounds for the recommendation of his discharge and ten days opportunity to be heard, and for explanation and defense, before the commander-in-chief or the division or brigade commander. And if, after such notice and such opportunity and such hearing, explanation and defense, if any, the commander-in-chief or the division or brigade commander shall decide to discharge the enlisted man, he shall issue an order so discharging him.

§ 2. Section 50 of said act is hereby amended so as to read as follows:

§ 50. Non-commissioned officers, if enlisted men, may be reduced to the ranks by the commander of the regiment or battalion to which they may belong, and in troops, batteries or separate companies, not a part of a regiment or battalion, by the commander of the division or brigade to which such troop, battery or separate company is attached, or by sentence of a court-martial. Hospital stewards, band leaders, trumpeters, drum majors and veterinary sergeants from civil life may be summarily discharged; enlisted men may be dropped by order of the regimental, brigade or division commander upon removal of residence from the State or to such a distance from the armory of the company to which they belong as to render it impracticable to properly discharge military duty, upon conviction of a felony in a civil court, or upon expulsion from their company in accordance with legal by-laws; but any enlisted man dropped on account of removal, may be taken up at any time within three years after such removal, should he return to the division or brigade district, by the company commandant, with the approval of the regimental, brigade or division commander, and shall be held to service until he has completed his term of enlistment, provided that the time absent from duty shall not be allowed as a part of his term of service.

§ 3. Section 64 of said act is hereby amended so as to read as follows:

§ 64. The commanding officer of each regiment, battalion, troop, battery or company shall appoint an armorer, who shall, under his direction, take charge of the armory or places of deposit of his regi-

ment, battalion, troop, battery or company, and of all uniforms, arms, equipments and other property which shall have been issued under the provisions of this act therein deposited, and to discharge all duties connected therewith as shall from time to time be prescribed by such commanding officer. Where two or more companies, with or without a battery or batteries, are quartered in the same armory or arsenal, there shall be but one armorer for all such organizations, who shall be appointed by the senior line-officer therein quartered in the several cities of the State; the senior line-officer occupying any armory or arsenal may also appoint a janitor, whose duty shall be to care for said armory, the repair and cleanliness of the same and the furniture and fixtures, and in armories or arsenal heated by steam he may appoint an engineer to have charge of the heating apparatus. If less than eight companies, or companies and batteries, are quartered in the same armory or arsenal, but one janitor shall be so appointed, who shall also have charge of the heating apparatus. Such person so appointed shall receive a compensation not to exceed four dollars per day for the time actually and necessarily employed in their duties in armories located in the various cities, unless the city has a population of less than 200,000, in which case such compensation shall be not less than one nor more than three dollars per day, to be approved and audited by the board of supervisors of the county, and in the armories not located in cities such compensation shall be not exceeding two dollars per day, to be likewise approved and audited by the board of supervisors of the county, which compensation, as certified to by the commanding officer appointing such person under the provisions of this section, and the service rendered, and approved and audited as above provided, shall be paid monthly, and shall be a county charge upon the county in which said armory is situated, and shall be audited, levied and collected in the same manner as other county charges are audited, levied, collected and paid.

§ 4. Section 75 of said act is hereby amended so as to read as follows :

§ 75. It shall not be lawful, but it shall be a misdemeanor, for any body of men whatsoever, other than the regular organized corps of the National Guard, the militia and the troops of the United States, and veteran organizations of honorably discharged Union soldiers of the late war, except such independent military organizations as are now in existence under chapter 304 of the Laws of 1834, and chapter 374 of the Laws of 1873, to associate themselves together as a military company or organization, or to parade in public with firearms in any city or town of this State, or to assume or use the insignia of rank or the military titles in use by the United States Army or the National Guard of this State; nor shall it be lawful for any city or town to raise or appropriate any money toward arming, equipping, uniforming or in any other way supporting, sustaining or providing drill-rooms or armories for any such body of men; provided, that associations wholly composed of soldiers honorably discharged from the service of the United States may parade in public with firearms on Decoration Day, or upon the reception of any regiments or companies of soldiers returning from said service, and for the purpose of escort duty at the burial of deceased soldiers; and provided, further, that students in

educational institutions where military science is a prescribed part of the course of instruction may, with the consent of the Governor, drill and parade with firearms in public, under the superintendence of their teachers; and provided, further, that this section shall not be construed to prevent any organization authorized to do so by law from parading with firearms. All independent military organizations now existing not regularly organized as organizations of the National Guard, are hereby made subject to the orders of the commander-in-chief in case of emergency or necessity to aid the National Guard in quelling invasion, insurrection, riot or breach of the peace, provided the officers and members of such organizations shall, when so called upon, first sign and execute and deliver through the commandant to the National Guard commander to which said organization is ordered to report, a form of enlistment, in form to be prescribed by the commander-in-chief in regulations or orders, for a term not less than thirty days nor more than ninety days at one time; and in case the services of such organizations shall not be required for the full term of their enlistment, they shall be discharged by order of the commander-in-chief. All members of such independent organizations, when called in to the service of the State as herein provided for, shall then be armed, equipped and paid by the State, and shall be protected in the discharge of their duties, as though a part of the National Guard of the State, and in obeying the orders of the commander-in-chief.

§ 5. Section 94 of said act is hereby amended so as to read as follows:

§ 94. All officers detailed to serve on any board or commission ordered by the commander-in-chief or any court of inquiry, court-martial or delinquency court ordered by proper authority in pursuance of any provision of this act shall be paid a sum equal to one day's pay for field duty, for each day actually employed in said board or court, or engaged in the business thereof, or in traveling to and from the same. A meeting and adjournment only shall not be considered a day of actual duty, except as hereinafter specified, the sum in no case shall exceed ten day's pay and actual traveling expenses and subsistence, unless upon application of the judge advocate of a court martial or the presiding officer of a delinquency court for the trial of commissioned officers, the commander-in-chief or in case of such delinquency court, the commander-in-chief or officer ordering such court, has authorized said court to sit for a longer period than ten days. An officer detailed to serve on the court provided by section 104 of this act shall be paid for each day actually employed therein, engaged in the business thereof or in traveling to and from the same, and traveling expenses and subsistence when said court shall be held at a place other than the city or town of his residence. To every marshal appointed to any such court shall be paid two dollars for every day actually employed in the execution of the duties required of him except the time occupied in the collection of fines and dues, and to every other marshal appointed by any other court established by this act, shall be paid two dollars for every day not exceeding ten actually employed in the execution of the duties required of him excepting the time occupied in the collection of fines

and dues. To each marshal shall be paid twenty-five per centum upon all fines, penalties and dues collected by him, which percentage shall be taxed by the officer issuing the warrant for the collection of such fines, penalties and dues, and by him added to the amount to be collected by said warrant and indorsed thereon and shall be collected and received to his own use by said marshal or by any sheriff or other officer to whom said warrant shall be delivered for collection, and mileage or actual necessary traveling expenses while engaged in executing any process, mandate or order of the court. The same to be paid in like manner with other military accounts; but no marshal shall receive any fees from any person served except said percentages; but when the session of the court exceeds ten days he shall receive two dollars additional for every day of such actual extra session. All compensation and expenses of courts established by section 104 of this act shall be paid as therein provided.

§ 6. Section 103 of said act is hereby amended so as to read as follows:

§ 103. The commander-in-chief shall order or cause to be ordered, delinquency courts for trial of commissioned officers below the rank of brigadier-general, for delinquencies reported, as required by section 121 of this act. Such courts shall consist of three officers of at least equal grade with the accused. The proceedings and sentence of such court shall, without delay, be delivered to the commander-in-chief, or to such officer as he may cause to order such court, who shall approve or disapprove the same within fifteen days thereafter, and shall notify the delinquent of his approval or disapproval thereof, and from the sentence of such court imposing a fine or penalty for any delinquency, the person tried may appeal within twenty days after notification of the fine or penalty, and the commander-in-chief, or, in case such court shall be ordered by a commanding officer of a division or brigade, by his direction, then the officer ordering such court may remit or mitigate such fine or penalty.

§ 7. Section 104 of said act is hereby amended so as to read as follows:

§ 104. The commanding officer of each brigade shall appoint a delinquency court, to consist of one commissioned officer of his command, for the trial of enlisted men of his brigade. The commander-in-chief may, in like manner, appoint a delinquency court or delinquency courts, for the trial of enlisted men of any organization or organizations not attached to or made a part of a brigade. Any officer so detailed may be relieved from the duties of such courts at any time by the commanding officer of the brigade, or by the commander-in-chief, in case the appointment was made by the commander-in-chief, and another officer detailed at such court. Proceedings pending before such courts shall not abate or be discontinued by reason of such relief and new detail, and any officer so detailed shall have full power and authority to do and perform all acts necessary to complete any proceedings pending before the court to which he was appointed, and to carry into effect any judgment, mandate, order or process made or issued by said court, previous to such relief and new detail. A delinquency court, so appointed, shall be permanent and continuous. Its sessions shall be held at such times and in such places as

may be most convenient for the prompt disposition of the business of the court within the discretion of the officer constituting the same. The officers constituting such court, may appoint, and at any time remove, a clerk thereof, who shall receive a reasonable compensation, to be fixed by such officer with the approval of the brigade commander. It shall be the duty of the commanding officer of every regiment, battalion, battery, troop, separate company, and signal corps, to make return to the delinquency court, appointed for, or having jurisdiction over, the enlisted men of his command, as herein provided, of all delinquents in his command, whereupon said delinquents must be forthwith summoned to appear before such delinquency court, at the time and place designated in the summons. Each organization, returning delinquents for trial, by said court, shall audit and pay out of its military fund, in the same manner that other military accounts are audited and paid, the compensation and necessary expenses of the officer holding said court, and the clerk and marshal thereof, and the actual necessary expenses of said court for the time such court shall be engaged in the trial of delinquents of said organization, and the necessary business connected therewith. The proceedings and sentence of such court shall from time to time, as may be convenient, for the prompt disposition of its business, be delivered to the officer ordering said court, or his successor in command, who shall approve or disapprove the same within ten days thereafter, and may, at any time, remit or mitigate any penalty imposed. No appeal shall lie from such proceedings and sentence.

§ 8. Section 117 of said act is hereby repealed, and said section 117 shall hereafter read as follows:

§ 117. The form of summons issued by delinquency courts provided by this act shall be substantially as follows, the blanks being properly filled up:

SUMMONS.

The People of the State of New York:

To.....

GREETING.— You are hereby summoned and required personally to be and appear before a delinquency court for the trial of....., which will meet pursuant to the laws of the State of New York, at on the day of, 188., at o'clock, .. M., by virtue of general orders No., from headquarters N. G., S. N. Y., to answer for the following delinquencies and fines for offenses against company by-laws, rules and regulations, as follows, that is to say: With being absent from (stating the parade, drill or other duty for which the accused is charged with absence or other delinquency).

Fines for offenses against the by-laws, rules and regulations of company, \$

Dated at, 18..

(Signature and rank of presiding officer.)

N. G., S. N. Y.,

President of the Court.

An affidavit shall be attached to said summons, showing the time, place and manner of service thereof; said affidavit may be made before any officer authorized to take affidavits and acknowledgments, or before the president of the court or any general or field officer, and no person shall receive any fee for taking such affidavit. The judgment-roll shall consist of the summons and affidavit of service thereof, and the judgment of the court, which shall be in form substantially as follows, the blanks being properly filled in:

THE PEOPLE OF THE STATE OF
NEW YORK

against

An in (stating the organization of which the accused is an officer or enlisted man) National Guard of the State of New York.

Whereas, the said having been duly served with the annexed summons to personally be and appear before the court, as required by law, to make answer to the charges therein specified; and the said (state whether the accused did or did not appear)

And it satisfactorily appearing to the court that the said is and was an, at the afore-said dates, of the National Guard of the State of New York, and that he was and is subject to the jurisdiction of the court; and it duly appearing that he had been duly notified to perform the duty, for neglect whereof he was returned as delinquent; and after due deliberation of the evidence offered by the people and the delinquent, the court finds and adjudges the said guilty of the following named delinquencies, and does sentence him, the said to pay a fine therefor as follows:

.....
.....
(stating each delinquency as set forth in summons and finding of the court thereon.)

Making a total fine of dollars.

(Signed)

(Rank)..... *President of the Court.*

The warrant, issued pursuant to section 127 of this act, shall be substantially in the following form, blanks being properly filled up:

The People of the State of New York:

To the marshals of the court below mentioned, duly appointed according to law, and to any sheriff, marshal, deputy marshal, or constable to whom these presents shall come, greeting:

Whereas, pursuant to the laws of the State of New York, by an order duly issued by (name and rank of officer ordering court) of the National Guard of the State of New York, and

dated on the day of, 18.., a court was duly appointed for (state object of court) ; and,

Whereas, the said court was duly and regularly convened, and was from time to time duly adjourned; and,

Whereas, (name and rank of accused) in (organization) of the National Guard of the State of New York, was duly and regularly returned to said court, as required by law, charged with (state whether accused was charged with delinquencies, or offenses against military code without specifying character thereof) as appears by (either summons or charges and specifications, as the case may be) duly filed with said court, and was duly summoned and notified to appear before said court, and it satisfactorily appearing to the court that the said was and is an of the National Guard of the State of New York and subject to the jurisdiction of the court, and after due deliberation of the evidence offered by the people and the accused, the court did find and adjudge the said (state finding) guilty and did sentence him to pay a fine of dollars, and did also sentence him to pay for fines for offenses against the by-laws, rules and regulations of the said company of dollars, making a total fine of dollars; and,

Whereas, the proceedings, findings and sentences of such court court were and were thereafter duly approved by the, the officer ordering said court.

These are, therefore, to command you to levy and collect said fines, together with the sum of dollars, being your costs, according to law, of the goods and chattels of said, and in default of sufficient goods and chattels of such to satisfy the same, then to take the body of such delinquent and convey him to the common jail and deliver him to the jailer thereof; and the said jailer is hereby directed and required to receive the body of such conveyed to said jail, as aforesaid, and to keep said closely confined in the manner and during the time required by law, and until discharged according to law, for which this shall be his warrant; and of your doings by virtue thereof to make return to me within forty days after the execution of these presents.

Given under my hand at and State of New York, on the day of, 188..

(Signature).....
(Rank and organization of presiding officer.)
N. G., S. N. Y.,

President of said Court.

The papers constituting the judgment-roll and the warrant shall each and all be *prima facie* evidence of the facts therein or therein stated before all courts. The jurisdiction of the courts established by this act shall be presumed, and the burden of proof shall rest with the person seeking to oust any of said courts of jurisdiction in any matter or proceeding whatever.

§ 9. Section 120 of said act is hereby amended so as to read as follows:

§ 120. Every commissioned officer may be fined by a delinquency court for non-attendance, without excuse, at any drill, parade, encampment, meeting for instruction, or other duty ordered by competent authority, not more than ten nor less than five dollars for each day of such non-attendance or delinquency. Absence for a day or any part thereof shall constitute a delinquency.

§ 10. Section 123 of said act is hereby amended so as to read as follows:

§ 123. Every enlisted man who shall, without proper excuse, be absent from, or in any other respect delinquent at any drill, parade, encampment, meeting for instruction, or other duty ordered by competent authority shall be fined by a delinquency court for enlisted men not more than five nor less than one dollar for each day or part thereof of such absence or other delinquency.

§ 11. Section 126 of said act is hereby amended so as to read as follows:

§ 126. The president of any court martial or delinquency court may appoint by warrant under his official signature, and at any time remove, one or more marshals, each of whom shall, before entering upon his duties, execute a bond to the State, with sufficient sureties, to be approved by the president of the court appointing him, for the faithful performance of his duties and the prompt payment of all moneys collected by him. And the marshals so appointed shall, when required, not only perform the usual duties of such marshals, but shall also execute any process, mandate or order, lawfully issued by such president or court, and perform all acts and duties by this act imposed on and authorized to be performed by any sheriff, marshal or constable. Any bond given as herein provided shall be prosecuted, for breach of the condition thereof, in the name of the people by a judge-advocate under direction of the judge-advocate-general, and all moneys recovered shall be paid to the military fund of the organization or organizations injured.

§ 12. Section 127 of said act is hereby amended so as to read as follows:

§ 127. For the purpose of collecting any fines or penalties imposed by any courts-martial or delinquency courts, authorized by this act, the president of the court shall within twenty days after the expiration of the time in which an appeal is allowed, as provided in this act (fines or penalties having been approved), and in cases where no appeal is allowed within twenty days after the approval of such fines and penalties, make a list of all the persons fined, describing them distinctly, and showing the sums imposed as fines or penalties on each person, and not paid, and shall draw his official warrant directed to any marshal of the court or to the sheriff or constable of any city or county (as the case may be) thereby commanding him to levy such fines and penalties, together with the costs, on the goods and chattels of such delinquents; and no property shall be exempt from the payment of such fines and penalties. In default of sufficient goods and chattels to satisfy the same, then such marshal of the court, or sheriff or constable of any city or county (as the case may be) shall take the body of such delinquent and convey him to the common jail of such city or county, whose jailor shall keep the said delinquent closely

confined without bail or mainprize for two days for any fine or penalty not exceeding two dollars, and two additional days for every dollar above that sum, unless the fine or penalty together with the costs and jailors fees be sooner paid; but no such imprisonment shall extend beyond the period of twenty days; provided, however, that the prisoner may be liberated at any time by order of the officer who ordered the court that imposed the fines or penalties.

§ 13. Nothing in this act contained shall effect any delinquency court or court-martial ordered prior to the passage hereof.

§ 14. This act shall take effect immediately.

Amend the title so as to read as follows:

"An act to amend chapter 299 of the Laws of 1883, entitled 'An act to provide for the enrollment of the militia for the organization and government of the National Guard of the State of New York, and for the public defense, and entitled the Military Code,' as amended by chapters 91, 322 and 323, Laws of 1884; chapters 268 and 310, Laws of 1885; chapters 412 and 487, Laws of 1886; chapter 649, Laws of 1887, and chapter 332, Laws of 1888."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Enz	Husted	Saunders
Ainsworth	Cottrell	Fish	Kelly	Savery
Andrus	Cronin	Fitts	King	Schaaff
Aspinall	Crosby	Gibbs	Longley	Smith, M. A.
Baker, A. B.	Curtis	Graham	Martin	Smith, T.
Baker, A. H.	Dante	Greene	McAdam	Sperry
Bauer	Davidson	Groat	McCann	Stevens
Blanchfield	Decker	Guenther	McCarren	Tefft
Blumenthal	Demarest	Hagan	McKenzie	Townsend
Bush, G. H.	de Peyster	Haggerty	McLaughlin	Treadway
Bush, R. P.	Dinehart	Harwood	Mead	Walters
Carson	Dirkelspiel	Hayes	Moffitt	Whipple
Cheney	Donaldson	Hitt	Moody	Yates
Clark, J.	Dunlap	Hornidge	Nixon	Yetman
Comstock	Edwards	Hughes	Roesch	Youngman
Connelly	Endres			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The Senate bill (No. 703) entitled "An act for the removal of causes of malaria and danger to the public health, from a portion of the abandoned Genesee Valley canal, making an appropriation for such purpose and reappropriating the sum unexpended appropriated for

the purposes mentioned in chapter 593, Laws of 1881" (Rec. No. 335), having been announced for a third reading,

On motion of Mr. Loder, and by unanimous consent, the same was amended as follows:

Strike out section 3.

Change "§ 4" to "§ 3."

Amend the title by inserting, after the words "Valley canal," in line 4, the word "and," and striking out all after the word "purpose" in line 4.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Graham	McCarren	Smith, C.
Ainsworth	Cottrell	Greene	McKenzie	Smith, M. A.
Aspinall	Cronin	Guenther	McLaughlin	Smith, T.
Baker, A. B.	Curtis	Haffner	Mead	Stevens
Baker, A. H.	Dante	Hagan	Miller	Strassburg
Bauer	Davidson	Haggerty	Moffitt	Sullivan
Blake	Decker	Hamilton	Moody	Townsend
Blanchfield	Demarest	Hayes	Mullaney	Treadway
Blumenthal	de Peyster	Hitt	Murray	Van Gorder
Bush, G. H.	Dinehart	Hughes	Newschafer	Walters
Bush, R. P.	Dinkelspiel	Husted	Rhodes	Whipple
Cheney	Donaldson	Kelly	Roesch	Yates
Clark, J.	Edwards	Kent	Ryan	Yetman
Clarke, C. C.	Endres	Loder	Saunders	Young
Comstock	Enz	Longley	Savery	Youngman
Connelly	Fitts	Martin	Schaaff	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The Senate returned the bill entitled "An act to amend chapter 462 of the Laws of 1887, entitled 'An act to amend chapter 409 of the Laws of 1886, entitled 'An act to regulate the employment of women and children in manufacturing establishments, and to provide for the appointment of inspectors to enforce the same'" (Rec. No. 401), with a message that they have reconsidered the vote by which said bill was passed and the same amended by striking out, on page 2, lines 17 and 18, engrossed bill, the words "by and with the advice and consent of the Senate."

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

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{ AYES 77 }
{ NOES 2 }

Those who voted in the affirmative, were

Acker	Comstock	Fish	Husted	Nixon
Adams	Connelly	Fitts	Kelly	Ryan
Ainsworth	Cottrell	Flaherty	Kent	Saunders
Aspinall	Cronin	Gibbs	Kerrigan	Savery
Baker, A. B.	Curtis	Graham	King	Schaaff
Baker, A. H.	Dante	Greene	Lane	Smith, C.
Barton	Davidson	Groat	Larmon	Smith, M. A.
Bauer	Decker	Haffner	Little	Townsend
Blake	Demarest	Hagan	Martin	Van Gorder
Blanchfield	Dinehart	Haggerty	McCann	Walters
Blumenthal	Dinkelspiel	Hamilton	McCarren	Whipple
Bush, G. H.	Donaldson	Harwood	McKenzie	Yetman
Bush, R. P.	Dunlap	Hitt	McLaughlin	Young
Cheney	Edwards	Hornidge	Miley	Youngman
Clark, J.	Endres	Hughes	Murray	Speaker
Clarke, C. C.	Enz			

Those who voted in the negative, were

Andrus Lewis

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Fitts	Larmon	Roesch
Adams	Cottrell	Flaherty	Le Roy	Ryan
Ainsworth	Cronin	Gibbs	Martin	Saunders
Andrus	Curtis	Graham	Maynard	Savery
Aspinall	Davidson	Greene	McCann	Saxton
Baker, A. B.	Decker	Haggerty	McCarren	Smith, C.
Baker, A. H.	Demarest	Harwood	McKenzie	Smith, M. A.
Barton	Dinehart	Hayes	McLaughlin	Sperry
Bauer	Dinkelspiel	Hitt	Moffitt	Tefft
Blake	Donaldson	Hornidge	Moody	Townsend
Blanchfield	Duffy	Hughes	Newschafer	Whipple
Blumenthal	Dunlap	Husted	Nixon	Yates
Bush, R. P.	Edwards	Kelly	Peck	Yetman
Cheney	Endres	Kent	Rhodes	Youngman
Clarke, C. C.	Enz	Kerrigan	Rice	Speaker
Connelly	Fish	King		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

The Senate bill (No. 534) entitled "An act in relation to the use of certain streets and avenues in the city of Brooklyn" (Rec. No. 213), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 2 }

Those who voted in the affirmative, were

Acker	Connelly	Enz	Kelly	Nixon
Adams	Coon	Fish	Kent	Peck
Ainsworth	Cottrell	Fitts	Kerrigan	Saxton
Andrus	Cronin	Flaherty	Kimball	Schaaff
Aspinall	Curtis	Gibbs	King	Smith, C.
Baker, A. B.	Dante	Graham	Larmon	Smith, M. A.
Baker, A. H.	Davidson	Greene	Lewis	Sperry
Barton	Decker	Groat	Little	Stevens
Bauer	Demarest	Guenther	Loder	Tefft
Blake	de Peyster	Haffner	Martin	Townsend
Blanchfield	Dinehart	Hagan	McCarren	Walters
Blumenthal	Dinkelspiel	Hamilton	McKenzie	Whipple
Bush, G. H.	Donaldson	Harwood	Mead	Yetman
Bush, R. P.	Duffy	Hornidge	Miley	Young
Clarke, C. C.	Edwards	Hughes	Moffitt	Youngman
Comstock	Endres	Husted		

Those who voted in the negative, were

Longley McCann

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

On motion of Mr. Saxton, and by unanimous consent, the Senate bill (No. 351) entitled "An act to amend section 2423 of the Code of Civil Procedure, relating to the voluntary dissolution of a corporation," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Fish	Mase	Rice
Adams	Connelly	Flaherty	Maynard	Roesch
Andrus	Coon	Gallup	McAdam	Ryan
Aspinall	Cottrell	Gibbs	McCann	Saunders
Baker, A. B.	Cronin	Greene	McCarren	Savery
Baker, A. H.	Crosby	Guenther	McKenzie	Saxton

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Barton	Curtis	Hagan	Mead	Schaaff
Bauer	Davidson	Harwood	Miley	Smith, M. A.
Blake	Decker	Hayes	Moffitt	Stevens
Blanchfield	Demarest	Hughes	Moody	Strassburg
Blumenthal	Dinehart	Husted	Mullaney	Townsend
Bush, G. H.	Dinkelspiel	Kerrigan	Murray	Van Gorder
Bush, R. P.	Duffy	Kimball	Newschafer	Walters
Cheney	Edwards	Lewis	Nixon	Whipple
Clark, J.	Endres	Longley	O'Neil	Yetman
Clarke, C. C.	Enz	Martin	Peck	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 493) entitled "An act to amend chapter 366 of the Laws of 1886, entitled 'An act to amend chapter 506 of the Laws of 1884, entitled An act to authorize Long Island City to create a fund to liquidate annual arrearages'" (Rec. No. 203), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Cottrell	Graham	Lewis	Savery
Adams	Curtis	Greene	Longley	Saxton
Ainsworth	Dante	Groat	Maynard	Sheehan
Andrus	Decker	Guenther	McCann	Smith, C.
Aspinall	Demarest	Haffner	McCarren	Strassburg
Baker, A. B.	de Peyster	Hagan	McKenzie	Tefft
Barton	Dinehart	Haggerty	Moffitt	Towne
Bauer	Dinkelspiel	Harwood	Moody	Townsend
Blake	Donaldson	Hitt	Mullaney	Treadway
Blanchfield	Edwards	Hornidge	Murray	Van Gorder
Blumenthal	Endres	Hughes	Newschafer	Walters
Bush, G. H.	Enz	Kelly	Nixon	Whipple
Clark, J.	Fish	Kent	O'Neil	Yates
Clarke, C. C.	Fitts	Kerrigan	Peck	Yetman
Comstock	Flaherty	Lane	Ryan	Young
Connelly	Gibbs	Larmon	Saunders	Youngman
Coon				

For the negative,

Sullivan

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the following entitled bill:

"An act to amend section 7 of chapter 84 of the Laws of 1888, entitled 'An act to appoint a commissioner to ascertain who are the

payees under certain treaties made by the State, dated respectively February 25, 1789, and July 27, 1795, and to modify said treaties'" (Rec. No. 409), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Sheehan, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Graham	Maynard	Saunders
Ainsworth	Cronin	Greene	McAdam	Savery
Andrus	Dante	Groat	McCann	Saxton
Aspinall	Davidson	Hagan	McCarren	Schaaff
Baker, A. B.	Decker	Hamilton	McKenzie	Sheehan
Baker, A. H.	Demarest	Harwood	Mead	Smith, T.
Barton	de Peyster	Hayes	Miley	Sperry
Bauer	Dinehart	Hughes	Miller	Strassburg
Blanchfield	Dinkelspiel	Kelly	Moffitt	Sullivan
Blumenthal	Duffy	Kent	Moody	Tefft
Bush, G. H.	Dunlap	Kimball	Mullaney	Townsend
Carson	Endres	Lane	Murray	Van Gorder
Cheney	Enz	Larmon	Nixon	Walters
Clark, J.	Fish	Little	Pearsall	Yetman
Comstock	Fitts	Loder	Roesch	Youngman
Coon	Gibbs	Longley	Ryan	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

On motion of Mr. Gibbs, and by unanimous consent, Senate bill Rec. No. 368, entitled "An act in relation to the payment of the salary of John H. Roberts, formerly the chief recording clerk in the office of the clerk of the city and county of New York," now on the order of third reading, was ordered to be read the third time to-day.

The Senate returned the concurrent resolution returning to the Governor without amendment Assembly bill No. 585, entitled "An act to amend chapter 314 of the Laws of 1874, entitled 'An act to establish a board of police and fire commissioners of the city of Utica,'" with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to Governor.

The Senate returned the following entitled bills:

"An act to amend chapter 280 of the Laws of 1888; entitled 'An act to amend chapter 540 of the Laws of 1879, entitled 'An act to regulate the practice of dentistry in the State of New York.'" (No. 885.)

"An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations." (No. 1027.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill entitled "An act to authorize the Board

of Claims to hear, audit and determine the claim or claims of William Fuller and sons against the State, and to make an award therefor" (No. 592), with a message that they have concurred in the passage of the same, as amended.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

"An act to establish a normal and training school at the village of Jamaica, in the county of Queens." (No. 542.)

"An act to establish a normal and training school at the village of Saratoga Springs, in the county of Saratoga, and to make an appropriation therefor." (No. 540.)

"An act to provide for the construction of an iron bridge over the Tonawanda creek and Erie canal connecting Main street in the village of North Tonawanda, in the county of Niagara, with Delaware street in the village of Tonawanda, in the county of Erie, and making an appropriation therefor." (No. 397.)

"An act to establish a normal and training school at the village of Watkins, in the county of Schuyler, and to make an appropriation therefor." (No. 719.)

"An act to establish a normal and training school, with an academic department, at Fairfield, in the county of Herkimer, and to make an appropriation for the same." (No. 541.)

"An act to amend section 13 of chapter 713 of the Laws of 1887, entitled 'An act to amend chapter 483 of the Laws of 1885, entitled An act to tax gifts, legacies and collateral inheritances in certain cases.'" (No. 659.)

"An act to establish a normal and training school at the village of Whitesboro, in the county of Oneida, and to make an appropriation therefor." (No. 999.)

"An act imposing a tax for the annual contribution to the sinking fund for the payment of the principal and interest of the canal debt for the fiscal year beginning on the 1st day of October, 1889." (No. 394.)

"An act making an appropriation for the payment of the interest on the canal debt for the fiscal year commencing on the 1st day of October, 1889." (No. 395.)

"An act to provide the means and making appropriations to pay the expenses of superintendence, ordinary repairs and maintenance of the canals for the fiscal year commencing on the 1st day of October, 1889." (No. 396.)

"An act to authorize and empower the State Board of Claims to hear, audit and determine the claim of Steuben county for moneys expended in the prosecution and conviction of Thomas Redding, an inmate of the New York State Soldiers and Sailors' Home, for the murder of Patrick Dowling, a police sergeant at said Home at Bath, and to include therein a reasonable compensation for the counsel for said Thomas Redding, and to make awards therefor." (No. 865.)

"An act to amend section 1638 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the selection of grand jurors." (No. 581.)

"An act to apply to the Cornell University the benefits of the act of Congress of the United States, approved March 2, 1887, entitled 'An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto.'" (No. 538.)

"An act to provide for certain improvements in the Eighth ward in the city of Brooklyn." (No. 1179.)

"An act to authorize 'The Peekskill Electric Light and Power Company' to erect, construct and operate an electric cable through, across or under the waters of Peekskill creek, and upon or over the road or highway leading from Annsville to the State camp ground." (No. 526.)

"An act to incorporate the John Guy Vassar Orphan Asylum, in the city of Poughkeepsie." (No. 614.)

"An act to amend section 4, chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game.'" (No. 867.)

"An act to provide for the change of the name of the Foundling Asylum of the Sisters of Charity in the city of New York." (No. 1204.)

"An act to ratify and confirm the acts of the president and trustees of the village of Tivoli in certain cases." (No. 1151.)

"An act to amend chapter 214 of the Laws of 1888, entitled 'An act to revise the charter of the city of Binghamton.'" (No. 1239.)

"An act to amend chapter 109 of the Laws of 1880, entitled 'An act to provide for the establishment of a union free school or schools within the corporate limits of the village of Cortland,' as amended by chapter 142 of the Laws of 1881." (No. 968.)

"An act to provide for the construction of fish-ways in the dam across the Chenango river, in the village of Chenango Forks, Broome county, and making an appropriation therefor." (No. 1161.)

"An act granting the consent of the State of New York to the acquisition by the United States of certain lands for the purpose of the erection of a government building at the city of Watertown, and ceding jurisdiction over the same." (Int. No. 1216.)

"An act to incorporate the Little Equinunk Bridge Company and authorize them to construct a toll bridge across the Delaware river at Little Equinunk, Wayne county, Pennsylvania, and Fremont, Sullivan county, New York." (Int. No. 1232.)

"An act to amend chapter 106 of the Laws of 1882, entitled 'An act to amend chapter 200 of the Laws of 1835, entitled 'An act to incorporate the village of Angelica,' and the several amendments thereto, as amended by chapter 89 of the Laws of 1887, relating to village assessors.'" (Int. No. 1212.)

"An act to fix the compensation of the surrogate in the city and county of New York." (No. 119.)

"An act to amend chapter 57 of the Laws of 1888, entitled 'An act to incorporate the Starin Benevolent and Industrial Association of Fultonville and Fonda.'" (No. 1154.)

"An act to amend chapter 535 of the Laws of 1888, entitled 'An act to incorporate the city of Middletown.'" (No. 808.)

"An act to establish and settle the bulk-head and pier line along

the East river at Long Island City and Ravenswood, in the port of New York." (No. 1063.)

"An act to amend section 60 of the Code of Criminal Procedure." (No. 1119.)

"An act to authorize the Board of Claims to hear, audit and determine the claim of Charles M. Brown against the State of New York, and to make an award therefor." (No. 718.)

"An act to authorize the Board of Claims to hear, audit and determine the claim of John D. Hutchinson against the State of New York, and to make an award therefor." (No. 717.)

"An act to amend chapter 585 of the Laws of 1886, entitled 'An act to authorize the several towns of the State to elect a board of town auditors, and to prescribe their powers and duties,' as amended by chapter 488 of the Laws of 1888." (No. 437.)

"An act to amend chapter 65 of the Laws of 1871, entitled 'An act to revise and consolidate the laws in relation to the village of Geneva, in the county of Ontario, and the acts amendatory thereof.'" (Int. No. 1218.)

"An act to amend chapter 313 of the Laws of 1886, entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of New York,' as amended by chapter 166 of the Laws of 1887." (No. 1217.)

"An act to amend title 4 of chapter 248 of the Laws of 1883, entitled 'An act to revise and amend the charter of the village of Flushing, in Queens county.'" (No. 651.)

"An act to amend chapter 865 of the Laws of 1871, entitled 'An act to incorporate the Young Men's Christian Association of the city of Schenectady,' and to restrict the power of the trustees of said association to mortgage its real estate, and to prescribe the manner in which mortgages thereon may be hereafter made." (No. 625.)

Ordered, That the Clerk deliver said bills to the Governor.

The hour of 6 o'clock having arrived, the House took a recess until 8 o'clock P. M.

EIGHT O'CLOCK P. M.

The House again met.

The Senate bill (No. 712) entitled "An act to amend chapter 545 of the Laws of 1888, entitled 'An act to provide lectures for workingmen and women'" (Rec. No. 344), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Davidson	Hamilton	McAdam	Savery
Adams	Demarest	Harwood	McCann	Saxton
Andrus	de Peyster	Hayes	McCarren	Schaaff

Aspinall	Dinkelspiel	Hitt	McKenzie	Sheehan
Baker, A. B.	Donaldson	Hughes	McLaughlin	Sheldon
Bauer	Dunham	Kelly	McMaster	Smith, T.
Blake	Edwards	Kent	Mesick	Sperry
Blanchfield	Endres	Kerrigan	Moffitt	Sullivan
Blumenthal	Enz	Lane	Murray	Tefft
Bush, R. P.	Fish	Larmon	O'Neil	Van Gorder
Cheney	Fitts	Lewis	Peck	Walters
Clarke, C. C.	Gibbs	Little	Rhodes	Whipple
Connelly	Graham	Loder	Roesch	Yates
Cottrell	Haffner	Longley	Ryan	Yetman
Cronin	Hagan	Martin	Saunders	Youngman
Curtis	Haggerty	Maynard		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (Rec. No. 368) entitled "An act in relation to the payment of the salary of John H. Roberts, formerly chief recording clerk in the office of the city and county of New York," having been announced for a third reading,

On motion of Mr. Gibbs, and by unanimous consent, the same was amended as follows:

Section 1, line 12, engrossed bill, make the paragraph end with the word "seven," and strike out all of the remainder of the paragraph.

Insert a new paragraph to read as follows: "To provide for the payment by the statute authorized, the Comptroller is authorized to issue revenue bonds of said city to be provided for in the final estimate for the year succeeding the year in which such payment is made."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Cronin	Gibbs	Lewis	Rice
Adams	Curtis	Graham	Little	Savery
Andrus	Davidson	Greene	Loder	Saxton
Aspinall	Decker	Groat	Maynard	Schaaff
Baker, A. B.	Demarest	Haffner	McAdam	Sheldon
Baker, A. H.	de Peyster	Hagan	McCann	Smith, T.
Bauer	Dinehart	Haggerty	McCarren	Sperry
Blake	Dinkelspiel	Hamilton	McKenzie	Sullivan
Blanchfield	Donaldson	Harwood	McMaster	Tefft
Blumenthal	Duffy	Hayes	Mesick	Townsend
Brown	Dunham	Hitt	Moffitt	Treadway
Carson	Edwards	Hornidge	Mullaney	Van Gorder
Cheney	Endres	Hughes	O'Neil	Walters

Clark, J.	Fish	Kent	Pearsall	Whipple
Comstock	Fitts	Kimball	Peck	Yetman
Coon	Gallup	Larmon	Rhodes	Youngman
Cottrell				

For the negative,

Crosby

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The Senate bill (No. 691) entitled "An act to provide for and regulate the investment of money by mortgage and loan companies, and other moneyed corporations of this State" (Rec. No. 396), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 77 }
{ NOES 15 }

Those who voted in the affirmative, were

Acker	Dinkelspiel	Hayes	McAdam	Ryan
Aspinall	Duffy	Hitt	McCann	Saunders
Baker, A. B.	Dunham	Hornidge	McCarren	Savery
Baker, A. H.	Dunlap	Hughes	McKenzie	Saxton
Bauer	Edwards	Husted	McLaughlin	Schaaft
Blake	Endres	Kelly	Mesick	Smith, C.
Blanchfield	Fitts	Kerrigan	Miller	Smith, M. A.
Bush, R. P.	Gallup	Kimball	Mullaney	Sullivan
Cheney	Gibbs	Lane	Murray	Tefft
Clark, J.	Graham	Larmon	Newschafer	Treadway
Connelly	Greene	Lewis	Nixon	Walters
Coon	Groat	Little	Pearsall	Whipple
Cronin	Haffner	Longley	Peck	Yates
Curtis	Hagan	Martin	Rice	Yetman
Dante	Haggerty	Maynard	Roesch	Youngman
Demarest	Hamilton			

Those who voted in the negative, were

Andrus	de Peyster	King	Mead	Sperry
Blumenthal	Fish	Loder	Rhodes	Van Gorder
Crosby	Harwood	McMaster	Smith, T.	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

On motion of Mr. Sheehan, and by unanimous consent, the Senate bill (Rec. No. 383), entitled "An act to amend subdivision 4 of section 194 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act, and to declare the special and local laws affecting public interests in the city of New York,' with respect to the Hebrew Sheltering Guardian Society," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Davidson	Hamilton	McAdam	Schaaff
Aspinall	Decker	Hayes	McCann	Sheehan
Baker, A. B.	Demarest	Hitt	McCarren	Smith, C.
Baker, A. H.	Dinehart	Hughes	McKenzie	Smith, M. A.
Bauer	Dinkelspiel	Kelly	McLaughlin	Sperry
Blake	Edwards	Kent	Mesick	Stevens
Blanchfield	Endres	Kerrigan	Miley	Sullivan
Blumenthal	Enz	Kimball	Miller	Townsend
Brownell	Fish	King	Moffitt	Treadway
Bush, G. H.	Fitts	Lane	Moody	Van Gorder
Cheney	Flaherty	Larmon	Murray	Walters
Clarke, C. C.	Gibbs	Lewis	Newschafer	Whipple
Comstock	Graham	Loder	Nixon	Yates
Connelly	Greene	Longley	Roesch	Yetman
Coon	Haffner	Martin	Saunders	Young
Cronin	Haggerty	Maynard	Savery	Youngman
Crosby				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 626), entitled "An act to amend chapter 261 of the Laws of 1888, entitled 'An act to amend chapter 706 of the Laws of 1887, entitled An act to provide for the relief of indigent soldiers, sailors and marines and the families of those deceased'" (Rec. No. 310), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 4 }

Those who voted in the affirmative, were

Acker	Coon	Greene	Maynard	Schaaff
Adams	Cottrell	Groat	McCann	Smith, M. A.
Andrus	Curtis	Guenther	McKenzie	Smith, T.
Aspinall	Davidson	Haffner	McLaughlin	Sperry
Baker, A. B.	Decker	Haggerty	McMaster	Stevens
Baker, A. H.	Demarest	Hamilton	Mead	Sullivan
Barton	de Peyster	Harwood	Mesick	Tefft
Bauer	Dinehart	Hitt	Miley	Van Gorder
Blake	Dinkelspiel	Hornidge	Moffitt	Walters
Blanchfield	Donaldson	Hughes	Newschafer	West

Blumenthal	Duffy	Husted	O'Neil	Whipple
Bush, G. H.	Dunham	Kent	Roesch	Yates
Bush, R. P.	Edwards	Kerrigan	Saunders	Yetman
Clark, J.	Endres	Larmon	Savery	Young
Comstock	Fitts	Lewis	Saxton	Youngman
Connelly	Gibbs	Longley		

Those who voted in the affirmative, were

Crosby	Hagan	Kelly	Mullaney
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Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Whipple moved to take from the table the following resolution:

Resolved, That the vote by which Assembly bill No. 623, entitled "An act for the more effectual protection of the fish in the waters of Lake Ontario, and in the American waters of the Niagara river, and in the waters of Erie and Niagara counties," was lost be reconsidered.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 72 }
{ NOES 5 }

Those who voted in the affirmative, were

Acker	Decker	Hayes	McKenzie	Sheldon
Adams	Demarest	Hughes	McLaughlin	Smith, C.
Baker, A. H.	Dinehart	Kelly	Mead	Smith, M. A.
Bauer	Dinkelspiel	Kerrigan	Mesick	Smith, T.
Blake	Donaldson	King	Miley	Stevens
Blanchfield	Duffy	Lane	Moody	Sullivan
Blumenthal	Dunlap	Lewis	Mullaney	Tefft
Carson	Edwards	Little	Newschafer	Townsend
Clark, J.	Endres	Loder	Rhodes	Treadway
Comstock	Flaherty	Longley	Rice	Van Gorder
Connelly	Gallup	Mase	Roesch	Whipple
Coon	Gibbs	McAdam	Saunders	Yates
Cottrell	Graham	McCann	Savery	Yetman
Curtis	Groat	McCarren	Saxton	Youngman
Davidson	Hagan			

Those who voted in the negative, were

Bush, R. P.	de Peyster	Guenther	Harwood	Young
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The vote by which said bill was lost having been reconsidered,

On motion of Mr. Little, and by unanimous consent, said bill was amended as follows:

Section 1, line 8, after the word "act" insert the words "shall be guilty of a misdemeanor and."

Add at the end of section 1 the words "nothing in this act shall prevent the setting of night or set lines for sturgeon and eels."

Section 2, line 2, after the word "in" insert the words "sections 33, 34 and 35," and strike out the word "section."

Same section, line 5, after the word "said" insert the words "sections 33, 34 and 35," and strike out the word "section."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 68 }
{ NOES 19 }

Those who voted in the affirmative, were

Acker	Decker	Kelly	McMaster	Saunders
Andrus	de Peyster	Kimball	Mesick	Schaaff
Baker, A. B.	Donaldson	King	Miller	Sheldon
Baker, A. H.	Duffy	Lane	Moffitt	Smith, C.
Bauer	Dunlap	Le Roy	Moody	Sperry
Blake	Endres	Lewis	Mullaney	Stevens
Bush, G. H.	Fish	Little	Murray	Sullivan
Bush, R. P.	Gallup	Loder	Newschafer	Tefft
Carson	Groat	Longley	Nixon	Treadway
Connelly	Hagan	Martin	O'Neil	Walters
Coon	Hamilton	Mase	Pearsall	Whippie
Crosby	Hayes	McAdam	Peck	Yates
Curtis	Hughes	McCarren	Rice	Youngman
Davidson	Husted	McKenzie		

Those who voted in the negative, were

Adams	Cottrell	Edwards	Hornidge	Ryan
Blanchfield	Demarest	Graham	Maynard	Savery
Blumenthal	Dinehart	Haffner	McCann	Young
Cheney	Dunham	Harwood	Rhodes	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 440) entitled "An act further to amend chapter 819 of the Laws of 1866, entitled 'An act to incorporate the village of New Brighton'" (Rec. No. 172), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Guenther	Maynard	Roesch
Adams	Coon	Haffner	McAdam	Ryan
Andrus	Cottrell	Hamilton	McCann	Saunders
Baker, A. B.	Curtis	Hayes	McCarren	Savery

Baker, A. H.	Davidson	Hitt	McKenzie	Saxton
Barton	Decker	Hughes	McMaster	Schaaff
Bauer	Demarest	Husted	Mesick	Smith, M. A.
Blake	Dinehart	Kent	Miley	Sperry
Blanchfield	Dinkelspiel	Kerrigan	Miller	Sullivan
Blumenthal	Duffy	Kimball	Moody	Tefft
Bush, G. H.	Dunham	Lane	Mullaney	Towne
Bush, R. P.	Enz	Larmon	Murray	Treadway
Carson	Fish	Le Roy	Newschafer	Walters
Cheney	Fitts	Little	O'Neil	Whipple
Clark, J.	Gibbs	Loder	Rhodes	Yetman
Comstock	Groat	Longley	Rice	Youngman

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Hamilton moved that the bill (No. 1011) entitled "An act authorizing railroad corporations which have purchased the right, franchise and privilege of using streets, roads, avenues, parks or public places at public auction for a percentage per annum of their gross receipts to use the tracks of other railroad companies," do now have its third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 70 }
{ NOES 25 }

Those who voted in the affirmative, were

Baker, A. B.	de Peyster	Harwood	McAdam	Ryan
Baker A. H.	Dinehart	Hayes	McCarren	Saunders
Barton	Dinkelspiel	Kelly	McLaughlin	Savery
Bauer	Duffy	Kent	McMaster	Sheldon
Blake	Dunham	Kerrigan	Mead	Smith, C.
Carson	Dunlap	King	Mesick	Smith, M. A.
Cheney	Edwards	Lane	Miley	Sperry
Comstock	Fish	Larmon	Moffitt	Stevens
Coon	Fitts	Lewis	Mullaney	Sullivan
Cottrell	Flaherty	Little	Newschafer	Towne
Curtis	Gallup	Loder	Nixon	Townsend
Dante	Gibbs	Longley	Pearsall	Treadway
Davidson	Groat	Martin	Peck	Van Gorder
Decker	Haffner	Maynard	Roesch	Yetman

Those who voted in the negative, were

Acker	Connelly	Graham	Le Roy	Smith, T.
Andrus	Cronin	Guenther	Miller	Tefft

Blanchfield	Crosby	Hitt	Moody	Whipple
Blumenthal	Endres	Hornidge	O'Neil	Yates
Bush, R. P.	Enz	Husted	Schaaff	Youngman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 480) entitled "An act to incorporate Delaware Tribe No. 44 of the Improved Order of Red Men of Eldred, Sullivan county, N. Y.," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Flaherty	Little	Rhodes
Andrus	Crosby	Gallup	Loder	Rice
Baker, A. B.	Curtis	Greene	Longley	Roesch
Baker, A. H.	Davidson	Groat	Martin	Saunders
Barton	Decker	Guenther	Maynard	Savery
Bauer	de Peyster	Haffner	McAdam	Stevens
Blake	Dinehart	Hagan	McCann	Sullivan
Blanchfield	Dinkelspiel	Harwood	McCarren	Towne
Blumenthal	Donaldson	Hitt	McMaster	Townsend
Bush, G. H.	Duffy	Hornidge	Mesick	Treadway
Bush, R. P.	Dunham	Hughes	Miley	Van Gorder
Carson	Dunlap	Kent	Moffitt	Whipple
Cheney	Endres	Kimball	Moody	Yates
Comstock	Enz	Lane	Mullaney	Yetman
Connelly	Fish	Larmon	Newschafer	Youngman
Coon	Fitts	Lewis	O'Neil	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (Rec. No. 352), entitled "An act to amend chapter 53 of the Laws of 1879, entitled 'An act to revise the charter of the city of Auburn,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Hamilton	McLaughlin	Saxton
Adams	Dante	Harwood	Mead	Sheldon
Ainsworth	Decker	Hayes	Mesick	Smith, M. A.
Baker, A. B.	Dinkelspiel	Hornidge	Miley	Smith, T.

Baker, A. H.	Dunham	Hughes	Moffitt	Sperry
Barton	Dunlap	Kelly	Moody	Stevens
Bauer	Edwards	Kent	Mullaney	Sullivan
Blake	Endres	Lane	Murray	Tefft
Bush, R. P.	Enz	Larmon	Nixon	Towne
Carson	Fish	Lewis	O'Neil	Van Gorder
Cheney	Fitts	Little	Pearsall	Whipple
Clark, J.	Gallup	Mase	Peck	Yates
Comstock	Graham	Maynard	Rhodes	Yetman
Connelly	Groat	McAdam	Ryan	Young
Coon	Guenther	McCarren	Savery	Youngman
Cottrell	Hagan	McKenzie		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 731) entitled "An act to amend chapter 62 of the Laws of 1853, entitled 'An act to regulate the construction of roads and streets across railroad tracks,'" having been announced for a third reading,

Mr. Martin moved to recommit said bill to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hitt offered for the consideration of the House a resolution, in the words following:

Resolved, That when this House adjourns this evening it be to meet again at 9 o'clock A. M. to-morrow.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate bill (Rec. No. 348) entitled "An act to amend chapter 544 of the Laws of 1887, entitled 'An act to amend an act entitled An act to provide for the incorporation of villages,' passed December 7, 1847, and the several acts amendatory thereof, so far as the same relate to the village of Mount Vernon, in the county of Westchester, and to declare, enlarge and define the powers and duties of the officers of said village, and to confirm and extend the power of the corporation of said village," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Comstock	Graham	McCarren	Roesch
Ainsworth	Connelly	Greene	McKenzie	Ryan
Andrus	Coon	Groat	McLaughlin	Saunders
Aspinall	Cottrell	Guenther	Mead	Savery
Baker, A. B.	Decker	Haffner	Mesick	Saxton
Baker, A. H.	Demarest	Hagan	Moffitt	Schaaff
Barton	Dinehart	Haggerty	Moody	Sheldon

Bauer	Dinkelspiel	Harwood	Mullaney	Smith, C.
Blake	Donaldson	Hayes	Murray	Tefft
Blanchfield	Duffy	Hughes	Newschafer	Towne
Blumenthal	Dunham	Kelly	Nixon	Townsend
Bush, G. H.	Dunlap	Larmon	O'Neil	Whipple
Bush, R. P.	Edwards	Little	Pearsall	Yates
Carson	Enz	Mase	Peck	Yetman
Cheney	Fish	Maynard	Rhodes	Youngman
Clark, J.	Gallup	McAdam		

For the negative,

King

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 704) entitled "An act to facilitate State commerce by increasing and improving the lockage capacity of the Erie and Oswego canals, and to improve the Erie, Oswego, Champlain Cayuga and Seneca and Black River canals, and the Albany basin of the Erie canal, the Glens Falls feeder, the Oneida river, and to complete the construction of a basin at Havana and the opening of the Seneca Lake level of the Chemung canal to navigation" (Rec. No. 391), having been announced for a third reading,

Mr. Gallup moved to amend said bill as follows:

Strike out all after the enacting clause, and insert the following:

SECTION 1. The Superintendent of Public Works is hereby authorized and directed, before the opening of canal navigation in the year one thousand eight hundred and ninety, to cause to be lengthened one tier of eight or more locks on the Erie canal, and two or more locks on the Oswego canal. Said locks to be designated by the Superintendent of Public Works and the State Engineer and Surveyor, so as to best protect and most facilitate and improve the navigation of said canals. Said locks, when lengthened shall be so lengthened and constructed as to be two hundred and twenty feet long, and not less than eighteen feet wide in the clear, and shall conform to the berme experimental lock number fifty, of said Erie canal, and shall include such machinery and appliances as shall render the locks most efficient. Said Superintendent of Public Works is also authorized and directed to improve the Erie and Oswego canals by deepening them to the standard depth of seven feet at such points as he shall deem most important, also to make such improvements on the Black River canal, the Champlain canal, the Cayuga and Seneca canal and the Glens Falls feeder, as the interests of their commerce most require, and to complete the bottoming out of the Albany basin of the Erie canal to its legal depth of seven feet of water at low tide, and to fill up the upper gap or cut between the river and said basin. The bottoming out of the basin shall be done between lock number one and thence southward to the Columbia street bridge, making the upper basin the uniform depth as aforesaid. The said Superintendent of Public Works is also authorized and directed to deepen the Oneida river improvement between Three River Point, on the Oswego canal, and the Oneida lake, by raising the dam at Oak Orchard, and, if practi-

cable, by raising the water at Caughdenoy, so that the water in said river at low water mark shall not be lower than its original low water mark, and as much higher as is practicable by raising the water as aforesaid, and by dredging out or otherwise deepening said river at such points as in his judgment will most improve its navigation. The deepening and improvement of the Oswego canal shall be in conformity with the Erie canal.

§ 2. The furnishing of all material for, and the performance of the work of lock-lengthening provided for in this act shall be by contract, entered into and duly executed by and between the said Superintendent of Public Works and the contractor or contractors furnishing and performing the same. The performance of all other work provided for in this act shall also be by contract, to be advertised and let under the same conditions as are prescribed for lock-lengthening, except such portions thereof as, in the judgment of the Superintendent of Public Works and State Engineer and Surveyor, cannot be so done to the best interest of the State.

§ 3. All contracts shall be given to the lowest bidder or bidders, giving ample security for the performance of the work, in all respects according to contract, after being advertised by the Superintendent of Public Works in at least two daily papers in each city and two weekly papers in each county along the line of said canals, and in the cities of New York and Brooklyn twice in each week for three consecutive weeks preceding the letting of such contracts. The notices of letting shall be signed by the Superintendent of Public Works, and published as aforesaid, and shall state the work to be done, the quantity, quality and kind of material to be used, and the length of time which will be given for the completion of the work, the amount of security required, and the conditions of the bonds to be furnished for the faithful performance of the contracts. Separate plans and specifications shall be prepared by the State Engineer and Surveyor of the proposed improvements, and the contracts for each of said improvements shall be advertised for and let separately to the lowest bidder or bidders. The Superintendent of Public Works may at any time after receiving bids for said work, or any part thereof, and before entering into contract therefor, cancel all bids so received, and readvertise for new bids, if in his judgment the public interests require him to do so. All contracts shall reserve the right to the Superintendent of Public Works, and the Canal Board, to declare the same forfeited whenever, in their judgment, the work thereunder is not being performed in good faith in the interests of the State.

§ 4. The sum of six hundred thousand dollars is hereby appropriated out of any moneys in the treasury of this State, not otherwise appropriated, to carry into effect the provisions of this act, which amount shall be paid by the Treasurer, upon the warrant of the Comptroller, and the requisition of the Superintendent of Public Works, as he may require the same in the progress of said work. Said moneys so appropriated are to be applied as follows: Three hundred and thirty-five thousand dollars, or so much thereof as may be necessary, to be applied to the improvement of the Erie canal, to be distributed as follows: Two hundred and fifteen thousand dollars, or so much thereof as may be necessary, for lengthening eight or more locks and

providing necessary machinery for same; one hundred and twenty thousand dollars for deepening said Erie canal, as hereinbefore described, but in the discretion of the Superintendent he may use eight thousand dollars thereof for necessary machinery for hauling in boats on lengthened locks on western division of the Erie canal; such portions, if any, of the two hundred and fifteen thousand dollars herein appropriated for lengthening locks in said Erie canal, which shall not be required to complete such work, the Superintendent of Public Works is authorized to apply to the deepening of said Erie canal in the manner above described, in addition to the sum herein specially appropriated for that purpose; sixty-five thousand dollars to be applied to the above described improvements on the Oswego canal, to be distributed as follows: For the lengthening of two or more locks therein, and requisite machinery for same, and the balance thereof for deepening said Oswego canal in the manner hereinbefore described; one hundred and thirty thousand dollars to be applied to the above described improvements of the Champlain canal; sixteen thousand dollars, or so much thereof as may be necessary, to be applied to the improvement of the Glens Falls feeder; fifteen thousand dollars to be applied to the improvement of the Cayuga and Seneca canal; sixteen thousand dollars to be applied to the improvement of the Black River canal; seven thousand dollars, or so much thereof as may be necessary, to be applied to complete the bottoming out of the Albany basin of the Erie canal, and ten thousand dollars, or so much thereof as may be necessary, to be applied to the above described improvement of the Oneida river; five thousand dollars, or so much thereof as may be necessary, to be applied to complete the construction of a basin at Havana, and for opening the Seneca lake level of the Chemung canal to navigation. But the total sum to be expended under this act shall not exceed the sum hereby appropriated.

§ 5. The Comptroller is hereby authorized to borrow, from time to time, such sums as the Superintendent of Public Works may require, not exceeding one hundred thousand dollars in the aggregate, and the money borrowed he shall refund from moneys received from taxes levied to meet the appropriation.

§ 6. All acts or parts of acts inconsistent with this act are hereby repealed.

§ 7. This act shall take effect immediately.

Mr. Sheehan moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion to amend, and it was determined in the affirmative.

{ AYES 58 }
{ NOES 52 }

Those who voted in the affirmative, were

Acker	Curtis	Flaherty	Little	Peck
Adams	Dante	Gallup	Loder	Rhodes
Ainsworth	Decker	Gibbs	Mase	Saunders
Aspinall	de Peyster	Groat	Maynard	Saxon

Baker, A. B.	Dinehart	Hamilton	McKenzie	Smith, C.
Bush, G. H.	Donaldson	Harwood	McMaster	Sperry
Carson	Dunham	Husted	Mead	Stevens
Cheney	Dunlap	Kimball	Mesick	Towne
Clark, J.	Edwards	King	Moody	Van Gorder
Comstock	Enz	Lane	Nixon	Walters
Cottrell	Fish	Larmon	Pearsall	Whipple
Crosby	Fitts	Lewis		

Those who voted in the negative, were

Andrus	Dinkelspiel	Hornidge	McLaughlin	Ryan
Baker, A. H.	Duffy	Kelly	Miley	Schaaff
Bauer	Endres	Kent	Miller	Sheehan
Blake	Graham	Kerrigan	Moffitt	Smith, T.
Blanchfield	Greene	Le Roy	Mullaney	Tefft
Blumenthal	Guenther	Longley	Murray	Townsend
Bush, R. P.	Haffner	Martin	Newschafer	Treadway
Connolly	Hagan	McAdam	O'Neil	Yates
Coon	Haggerty	McCann	Rice	Yetman
Davidson	Hayes	McCarren	Roesch	Youngman
Demarest	Hitt			

Said bill, as amended, was then read the third time.

Pending the calling of the roll, by unanimous consent, the time of the evening session was extended until the Speaker's desk could be cleared.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 21 }

Those who voted in the affirmative, were

Ainsworth	Davidson	Guenther	Martin	Ryan
Andrus	Demarest	Haffner	McAdam	Savery
Aspinall	de Peyster	Hagan	McCann	Saxton
Baker, A. B.	Dinkelspiel	Haggerty	McCarren	Schaaff
Baker, A. H.	Donaldson	Hamilton	McLaughlin	Sheehan
Barton	Duffy	Hayes	McMaster	Smith, C.
Bauer	Dunham	Hitt	Mesick	Smith, T.
Blake	Dunlap	Hornidge	Miley	Sperry
Blanchfield	Edwards	Hughes	Moffitt	Sullivan
Blumenthal	Endres	Husted	Mullaney	Tefft
Bush, G. H.	Enz	Kelly	Murray	Townsend
Bush, R. P.	Gallup	Kerrigan	Newschafer	Treadway
Cheney	Gibbs	King	Nixon	Yates
Connolly	Graham	Le Roy	O'Neil	Yetman
Coon	Greene	Loder	Rice	Young
Crosby	Groat	Longley	Roesch	Youngman

Those who voted in the negative, were

Acker	Dante	Kimball	Moody	Stevens
Carson	Decker	Lewis	Pearsall	Towne
Clark, J.	Flaherty	Mase	Peck	Walters
Comstock	Harwood	Maynard	Saunders	Whipple
Cottrell				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The Senate returned the bill entitled "An act to establish a code of evidence" (No. 848), with a message that they have concurred in the passage of the same with the following amendments:

Section 84, line 6, engrossed bill, strike out the word "the."

Section 85, line 5, strike out the word "volumn," and insert the word "volume."

Section 153, subdivision 3, line 1, strike out the word "existence" and insert the "existence."

Same section, same subdivision, line 2, strike out the word "preceeding" and insert the word "precedent."

Same section, subdivision 4, line 1, strike out the word "existence" and insert the word "existence."

Same section, subdivision 7, line 1, strike out the word "existence" and insert the word "existence."

Same section, same subdivision, line 3, strike out the word "existence" and insert the word "existence."

Section 180, line 6, strike out the word "existence" and insert the word "existence."

Section 203, line 4, strike out the word "disapprove" and insert the word "disprove."

Section 209, line 2, strike out the word "testimony" and insert the word "testifying."

Section 218, line 2, strike out the word "relevent" and insert the word "relevant."

Section 227, line 2, strike out the word "or," first occurring.

Section 228, line 1, strike out the word "inquires" and insert the word "inquiries."

Section 231, line 9, after the word "hundred," second occurring, insert the word "and."

Section 232, lines 1 and 2, strike out the word "September" and insert the word "July."

Same section, line 2, strike out the word "eighty-nine" and insert the word "ninety."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Hagan	McCarren	Saunders
Adams	Demarest	Hayes	McKenzie	Savery
Ainsworth	de Peyster	Hitt	McLaughlin	Saxton

Andrus	Dinkelspiel	Hughes	McMaster	Schaaff
Aspinall	Donaldson	Husted	Mead	Smith, C.
Baker, A. B.	Duffy	Kelly	Mesick	Smith, M. A.
Bauer	Dunlap	Kent	Moffitt	Smith, T.
Blanchfield	Edwards	Kerrigan	Mullaney	Sperry
Cheney	Endres	Lane	Murray	Stevens
Clark, J.	Enz	Larmon	Newschafer	Townsend
Comstock	Fitts	Le Roy	O'Neil	Van Gorder
Connelly	Flaherty	Longley	Pearsall	Walters
Coon	Graham	Martin	Peck	Whipple
Cottrell	Groat	Maynard	Rhodes	Yetman
Curtis	Guenther	McAdam	Rice	Young
Davidson	Haffner	McCann	Roesch	Youngman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate sent for concurrence the following entitled bills:

"An act to amend chapter 71 of the Laws of 1884, entitled 'An act to authorize the use of State armories by associations of discharged soldiers,' and the acts amendatory thereof" (Rec. No. 410), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Andrus, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Guenther	McAdam	Rhodes
Ainsworth	Crosby	Haffner	McCann	Rice
Andrus	Curtis	Hagan	McCarren	Roesch
Aspinall	Davidson	Haggerty	McKenzie	Saunders
Baker, A. B.	Decker	Hamilton	McLaughlin	Savery
Baker, A. H.	Demarest	Hughes	McMaster	Saxon
Barton	de Peyster	Kent	Mead	Schaaff
Bauer	Dinehart	Lane	Mesick	Sheehan
Blake	Dinkelspiel	Larmon	Miley	Smith, M. A.
Blanchfield	Dunham	Le Roy	Moffitt	Smith, T.
Blumenthal	Dunlap	Lewis	Moody	Stevens
Bush, R. P.	Endres	Little	Mullaney	Sullivan
Carson	Fitts	Loder	Murray	Walters
Cheney	Gallup	Longley	Nixon	Yetman
Clark, J.	Gibbs	Martin	Pearsall	Youngman
Comstock	Graham	Maynard	Peck	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to amend subdivision 3 of section 4 of title 1 of chapter 13 of part 1 of the Revised Statutes, entitled 'Of the property liable to taxation'" (Rec. No. 411), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

The Senate returned the bill entitled "An act to improve the sanitary condition of the Capitol, and making an appropriation therefor" (No. 1081), with a message that they have consented to the appointment of a committee of conference, and have appointed as such committee on the part of the Senate Senators Sloan, Arnold and Linson.

The privileges of the floor were extended to Hon. R. C. McCormick, George M. Gleason and George Cromwell.

The Senate returned the bill entitled "An act to regulate the powers of the United States Harvey Way Construction Company," (No. 530), with a message that they have concurred in the passage of the same, with the following amendment:

Strike out all of section 2 after the word "equity" in line 5.

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Fitts	Lane	Peck
Adams	Cottrell	Gibbs	Larmon	Rhodes
Ainsworth	Crosby	Graham	Lewis	Roesch
Aspinall	Curtis	Greene	Little	Saunders
Baker, A. B.	Davidson	Groat	Loder	Saxton
Baker, A. H.	Decker	Guenther	Martin	Sheehan
Barton	Demarest	Haffner	Maynard	Sheldon
Bauer	de Peyster	Hagan	McCann	Smith, C.
Blake	Dinehart	Haggerty	McLaughlin	Smith, M. A.
Blanchfield	Dinkelspiel	Hamilton	Mesick	Stevens
Blumenthal	Donaldson	Hayes	Moffitt	Sullivan
Bush, G. H.	Duffy	Hughes	Moody	Van Gorder
Bush, R. P.	Dunlap	Kelly	Mullaney	Walters
Carson	Edwards	Kent	Nixon	Whipple
Clark, J.	Endres	Kerrigan	O'Neil	Yetman
Comstock	Enz	Kimball	Pearsall	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

On motion of Mr. Gibbs, and by unanimous consent, the bill (No. 1085) entitled "An act to authorize the fixing of salaries of patrolmen acting as precinct detectives of police in the city of New York," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Fitts	King	Newschafer
Adams	Curtis	Flaherty	Lane	O'Neil
Ainsworth	Davidson	Gibbs	Lewis	Peck
Aspinall	Decker	Graham	Little	Rhodes
Baker, A. B.	Demarest	Groat	Loder	Roesch
Baker, A. H.	de Peyster	Guenther	Longley	Ryan
Barton	Dinehart	Haffner	Maynard	Saunders
Bauer	Dinkelspiel	Hagan	McCann	Savery
Blake	Donaldson	Haggerty	McKenzie	Saxton
Blanchfield	Duffy	Hamilton	McMaster	Sheehan
Bush, G. H.	Dunham	Harwood	Mesick	Sheldon
Bush, R. P.	Dunlap	Hayes	Miley	Smith, T.
Cheney	Edwards	Hughes	Moffitt	Van Gorder
Clark, J.	Endres	Husted	Moody	Walters
Comstock	Eaz	Kelly	Mullaney	Yetman
Connelly	Fish	Kimball	Murray	Youngman
Coon				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read in the words following:

IN SENATE, *May 15, 1889.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned Senate bill, not printed, entitled "An act in relation to local improvements in the town of Westchester." (Rec. No. 287.)

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. Robertson, and by unanimous consent, the same was amended as follows:

Strike out all after the enacting clause and insert in place thereof the following:

SECTION 1. In any town in this State having a total population of over 4,000 inhabitants, exclusive of those residing within the corporate limits of any incorporated city or village in said town and adjoining a city having a population of more than 1,000,000 inhabitants, the supervisor is hereby authorized to appoint five commissioners of local improvements by a writing signed by him and filed in the town clerk's office of said town. The commissioners so appointed shall be residents, freeholders and electors in such town and shall hold no other office therein. The said persons so appointed shall be a body incorporated and shall be known as the "commissioners of improvements" of such town, in which name they may sue or be sued in any court of competent jurisdiction.

§ 2. The said commissioners of improvements shall have power to examine into and consider all matters relative to supplying such town,

or any portion thereof, outside the corporate limits of any incorporated village, with pure and wholesome water, and to the construction of sewers, and to the opening, working, repairing, improving and lighting of the highways, roads, streets and public places therein, and for that purpose they shall have power to employ engineers, surveyors and such other persons as may be necessary, and, from time to time, adopt such plans for such purposes as shall be deemed most feasible, advantageous and beneficial to said town, and they shall have power and authority over any and all highways, roads, streets and public places in such town, outside of the corporate limits of any incorporated city or village, and may change the grade thereof, and lay sewers and water pipes through or under any of the same, and erect street lamps or other instruments for lighting the same thereon.

§ 3. Each of the commissioners appointed as aforesaid shall within twenty days after receiving notice of his appointment, and before entering upon the discharge of duties of his office, execute and deliver to the supervisor of the said town a bond, in the penalty of \$10,000, with sufficient sureties, to be approved by the board of town officers, conditioned for the faithful performance of his duties, and within thirty days after such appointment the said commissioners shall meet and organize by the election of one of their number as president of said commissioners of improvements, one of their number secretary thereof and one of their number treasurer. The said officers shall hold their respective offices for one year, and until their successors shall be chosen. Whenever a vacancy shall occur in the said commissioners through the death, resignation or refusal to act of any of said commissioners the remaining commissioners shall be empowered to appoint a suitable person or persons to fill any place vacated as aforesaid, and in case the said remaining commissioners shall fail or neglect to fill any such vacancy for a space of sixty days, the supervisor of said town shall have the power to fill the same by appointing some suitable person or persons; in every case the person or persons appointed to fill any such vacancy or vacancies shall be an elector and freeholder of said town, and before entering upon his duties shall execute and deliver the bond hereinbefore provided, and thereupon shall have vested in him or in them the same powers and authority as if originally appointed under this act. No commissioner shall receive any compensation for his services under this act, nor shall be interested in any contract entered into by said commissioners.

§ 4. Within three months after the appointment of said commissioners, and at any time thereafter, not to exceed twice in any one year, they shall certify in writing the nature of the improvements to be made and the estimated cost thereof, which said certificate shall be filed in the office of the town clerk of such town. Within ten days after the said certificate shall be filed the town clerk shall give notice of a special election to vote upon the question of expending said sum of money for such improvements. Said notice of such election shall be given by posting not less than twelve printed notices in conspicuous places in said town, not less than ten days nor more than twenty days prior to the time of holding the same, and by publishing the same notice in a newspaper printed in the said town, if any, and if none, then in two or more newspapers published in the county in

which said town is situated. Said election shall be held in said town at the town hall, or in case there shall be no town hall in said town, at such place as shall be designated by the said town clerk in said notices. At such election no person shall be permitted or entitled to vote unless he shall be a qualified elector of the said town residing outside of the corporate limits of any incorporated city or village in said town, and he shall have been assessed for real or personal property upon the last preceding assessment-roll of said town, and he is still the owner thereof, or he shall have subsequently acquired title to real estate in said town outside of the corporate limits of any incorporated city or village, and, if such real estate shall have been acquired by purchase, that his conveyance thereof shall have been duly recorded, or the husband of a woman who is the owner of real estate as aforesaid. At such election the inspectors shall be the supervisor, town clerk and one of the justices of the peace of said town to be designated by the aforesaid commissioners. The ballots to be voted at said election shall contain the words "for raising money for local improvements," or "against raising money for local improvements." The said inspectors of such election shall certify the result thereof in writing, and the same shall be entered at large in the records of said town by said town clerk, and a copy of said record shall be delivered to said commissioners. In case the majority of the ballots cast shall contain the words "for raising money for local improvements," the said commissioners shall be authorized to expend said money for said purposes specified in said certificate and the same shall be obtained from the sale of the bonds of such town as hereinafter provided.

§ 5. The said commissioners of improvement shall have power to contract for, and purchase, and take by deed or other instrument in the name of such town, all lands, tenements, hereditaments, rights or privileges whatever, which may be required for any of the purposes of this act, and to contract for the execution of the work or any portion thereof; and the supply of necessary materials, or of any portion thereof; and the commissioners and their agents and employes are authorized to enter upon any land or water for the purpose of making surveys, and to agree with the owner or owners of property, real or personal, as to the amount of compensation to be paid such owner, and in case said commissioners shall be unable to agree with any person or corporation owning or having an interest in any property, real or personal, or any rights or interest therein, required for any of the purposes of this act, the said commissioners may, in their corporate name, acquire such lands, rights, interests or easements, in the manner and by the same proceedings provided in and by chapter 140 of the Laws of 1850, so far as the same may be applicable. All property, rights or easements thus acquired shall vest in and become the property of such town.

§ 6. All moneys that may be required to make such improvements and to perform said work, and the expenses of the said commissioners in connection therewith, shall be borrowed upon the credit of said town upon the bonds thereof, and for that purpose the supervisor of said town shall, upon the requisition of the said commissioners of improvements, issue bonds of said town, signed by him as such super-

visor and countersigned by the town clerk and by the chairman of said commissioners, and deliver the same to the treasurer of the said commissioners from time to time, to the amount that it shall be certified by said commissioners of improvements has become due for work done or materials furnished upon said work and improvements, and to the amount that it shall likewise be certified that contracts for such work or materials have been entered into by said commissioners, but the amount to be borrowed under this act by any such town shall not exceed in the aggregate the sum of \$100,000. The said commissioners shall sell the bonds received by the said treasurer at not less than the par value thereof, and apply the proceeds thereof to the payment of the expenses incurred under this act for the purposes herein provided before.

§ 7. The bonds issued for the payment of the expenses as aforesaid shall be in amounts of not less \$500 each and shall bear interest not to exceed four per centum per annum, and the first \$5,000 secured by said bonds shall become due and payable not later than on the first day of May ten years after the date of said bond, and not less than \$5,000 secured by said bonds shall become due on the first day of May in each and every year thereafter until the whole amount thereof shall have become due, and the interest on said bonds shall become due and payable on the first days of November and May in each year until the principal of said bonds shall become due and payable respectively; and a record of all such bonds so issued shall be kept by the town clerk of said town, in a book especially provided for that purpose, showing the number, date and amount of each bond, the rate of interest and the date when the same is due and payable, the amounts of principal and interest paid and unpaid thereon, and all details relating to the issue, sale and redemption thereof.

§ 8. There shall be annually levied and assessed upon the taxable property of the said town outside of the corporate limits of any incorporated city or village, by the board of supervisors of the county in which it is located, and collected in the same manner that other town charges are levied, assessed and collected, such sums of money as may be necessary to pay the interest on said bonds, and the principal thereof as the same becomes due, and said moneys when collected shall be paid by the receiver of taxes or collector of said town to the supervisor thereof, and by said supervisor applied to the payment of the interest due on said bonds and the principal thereof as the same becomes due; and the said supervisor shall, at the time of making his annual account to the board of town auditors of said town, make a true and full account of all moneys received by him for the purposes aforesaid, and deliver to said board of town auditors vouchers for all moneys expended by him for the payment of the principal and the interest of the aforesaid bonds, and a copy of the said report of the said supervisor shall be entered at length upon the records of the town by the town clerk thereof.

§ 9. The said commissioners of improvements shall annually make and deliver to the board of town auditors a full and detailed account of all moneys received by them for the sale of the said bonds aforesaid, and the manner in which it has been expended, with vouchers for the payment thereof, which said account shall be verified by two

of the officers of said corporation, and upon the completion of their work, or expiration of their term of office, the said commissioners shall make and deliver a final account in the same manner, and deliver to the said board of town auditors any moneys or property that may be in the possession of said commissioners belonging to the said town. The accounts presented by the commissioners shall be entered upon the minutes of the town by the town clerk thereof, and if, at the final accounting the said accounts shall be correct, the board of town auditors, may, by resolution, authorize a supervisor to cancel the bonds given by the said commissioners.

§ 10. This act shall apply to any of the towns in this State mentioned in section one, notwithstanding the provisions of any private or local act affecting any such town.

§ 11. This act shall take effect immediately.

Amend the title so as to read as follows :

“An act in relation to local improvements in towns having a total population of 4,000 inhabitants, exclusive of any incorporated city or village therein, and adjoining a city having a population of over 1,000,000.”

And as amended passed, reëngrossed, and ordered to be sent to the Assembly for concurrence.

By order.

JOHN S. KENYON, *Clerk.*

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Graham	Loder	Saunders
Adams	Cronin	Greene	Martin	Savery
Ainsworth	Curtis	Groat	McAdam	Schaaff
Andrus	Dante	Guenther	McCann	Sheehan
Aspinall	Davidson	Haffner	McCarren	Sheldon
Baker, A. B.	Decker	Hagan	McKenzie	Smith, T.
Baker, A. H.	Demarest	Haggerty	Mead	Sperry
Barton	de Peyster	Hughes	Mesick	Stevens
Bauer	Dinkelspiel	Kelly	Moffitt	Tefft
Blake	Donaldson	Kerrigan	Moody	Treadway
Blanchfield	Edwards	Kimball	Murray	Van Gorder
Blumenthal	Endres	Lane	O'Neil	Walters
Bush, R. P.	Enz	Larmon	Pearsall	Whipple
Cheney	Fitts	Le Roy	Peck	Yetman
Comstock	Flaherty	Lewis	Roesch	Young
Coon	Gibbs	Little	Ryan	Youngman

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Groat	Loder	Pearsall
Adams	Cronin	Guenther	Longley	Roesch
Aspinall	Curtis	Haffner	Martin	Saunders
Baker, A. B.	Davidson	Hagan	McAdam	Savery
Baker, A. H.	Decker	Haggerty	McCann	Sheehan
Barton	Demarest	Hitt	McCarren	Sheldon
Bauer	Dinehart	Hornidge	McKenzie	Smith, T.
Blanchfield	Dinkelspiel	Hughes	McLaughlin	Sperry
Blumenthal	Donaldson	Husted	Mead	Stevens
Brownell	Dunlap	Kent	Miller	Tefft
Bush, R. P.	Edwards	Kerrigan	Moffitt	Towne
Carson	Endres	Lane	Moody	Treadway
Cheney	Enz	Larmon	Mullaney	Walters
Clark, J.	Fitts	Le Roy	Newschafer	Whipple
Clarke, C. C.	Flaherty	Lewis	Nixon	Yetman
Comstock	Gibbs	Little	O'Neil	Youngman
Coon	Greene			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

The Senate returned the bill entitled "An act to extend the time for the completion of the Mechanicville and Fort Edward railroad" (No. 1050), with a message that they have concurred in the passage of the same, as amended.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the following entitled bills:

"An act to revise, amend and consolidate the several acts relating to the village of Cortland, and to repeal certain acts and partsof acts." (Int. No. 1172.)

"An act to amend chapter 294 of the Laws of 1869, entitled 'An act to incorporate the fire department of the city of Binghamton.'" (No. 441.)

"An act to amend chapter 239 of the Laws of 1866, entitled 'An act to incorporate The Poughkeepsie Associated Fire Department of the city of Poughkeepsie,' as amended by chapter 68 of the Laws of 1873." (No. 1181.)

"An act to amend title 17 of chapter 20 of part 1 of the Revised Statutes, entitled 'Of dogs.'" (No. 578.)

"An act to lay out and improve One Hundred and Sixteenth street, from Tenth avenue to the road and public drive known as the Broadway boulevard, in the city of New York." (No. 1004.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled Senate bills, with a message that they have concurred in the amendments of the Assembly thereto:

"An act to amend section 2717 of the Code of Civil Procedure, with reference to the payment of creditors and legatees." (No. 639.)

"An act to provide for the improvement of portions of Jackson

avenue, Vernon avenue and the Boulevard, in Long Island City, and for the payment of the expenses thereof." (No. 658.)

"An act for the removal of the causes of malaria and danger to the public health, from a portion of the abandoned Genesee Valley canal, making an appropriation for such purpose and reappropriating the sum unexpended appropriated for the purposes mentioned in chapter 593, Laws of 1881." (No. 703.)

Ordered, That the Clerk return said bills to the Senate.

The Senate returned the following entitled bills with a message that they have concurred in the passage of the same:

"An act to authorize the common council of the city of Troy to consent that the trustees of the Rensselaer County Soldiers and Sailors Monument Association to erect and forever maintain upon the land of said city of Troy known as Washington Square in said city, the monument authorized to be erected and maintained by said association, as provided in the articles of said association filed in the office of the Secretary of State, in the city of Albany on the 17th day of November, 1886." (Int. No. 1245.)

"An act to revise and amend chapter 574 of the Laws of 1865, entitled 'An act to revise, consolidate and amend the act to incorporate the village of Stillwater, passed April 17, 1816, and the act to amend the same, passed March 17, 1860,' and to revise and amend chapter 169 of the Laws of 1873, entitled 'An act to amend an act entitled An act to revise, consolidate and amend the act to incorporate the village of Stillwater.'" (No. 834.)

"An act to enlarge the powers of the Young Men's Christian Association of Mount Vernon, New York, and define the duties and liabilities of its trustees and directors." (No. 331.)

"An act to provide for reports of the dormant accounts in savings banks incorporated under the laws of this State." (No. 588.)

"An act to amend an act entitled 'An act to provide for the assessment and collection of taxes in the city of Albany,' being chapter 86 of the Laws of 1850." (No. 390.)

"An act to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,' and the acts amendatory thereof." (No. 675.)

"An act to amend chapter 461 of the Laws of 1871, entitled 'An act to revise the charter of Long Island City.'" (No. 520.)

"An act authorizing the construction of a pier or breakwater along the north bank or side of Tonawanda creek at Wendellville, in the county of Niagara, to protect the adjacent real estate and property from damages by water and ice, caused by the removal of earth by the State in the construction of a bridge over said creek and part of the tow-path of the Erie canal, and making an appropriation therefor." (No. 995.)

"An act to authorize the highway commissioners of the towns of Westfield and Chautauqua, of Chautauqua county, N. Y., or either of the said commissioners, to open a road through the town of Portland, and to provide for the expense and maintenance of the same." (Int. No. 1243.)

"An act making an appropriation for certain improvements at the State camp near Peekskill." (Int. No. 1237.)

"An act to repeal chapter 170 of the Laws of 1866, and the acts amendatory thereof and supplementary thereto, relative to the village of Montezuma." (No. 1106.)

"An act to authorize the establishment of an electric plant for the purpose of lighting the city of Jamestown, N. Y., with electric light, and to empower the common council of said city to raise the necessary funds therefor." (No. 1028.)

"An act to release to Mary McGarvey Huston, the only child and heir-at-law of William McGarvey, deceased, the interest of the people of the State of New York in the personal property of which William McGarvey and Ellen Nealey McGarvey, or either of them, died possessed." (No. 770.)

"An act to amend chapter 192 of the Laws of 1886, entitled, as amended by chapter 545 of the Laws of 1887, 'An act providing for the appointment of commissioners to determine the best method of providing additional accommodations for and the expediency of providing farming lands for the occupation of insane criminals, and to provide for the selection and purchase of a site and the erection of suitable buildings.'" (Int. No. 1247.)

"An act to provide for the location of a boulevard or highway from the northerly part of the city of Buffalo, in the county of Erie, to the southerly bounds of the corporation of the village of Niagara Falls, in the county of Niagara." (No. 604.)

"An act to amend chapter 565 of the Laws of 1887, entitled 'An act to provide for fixing and determining the salaries of the commissioners of docks in all cities of this State, having, according to the last census, a population exceeding eight hundred thousand.'" (No. 1086.)

"An act to authorize towns having railroad commissioners to transfer the powers and duties of such officers to the supervisors of such towns, and to abolish the office of railroad commissioner in such towns." (No. 726.)

"An act to amend section 2015 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to druggists." (No. 785.)

"An act to amend section 473 of the Penal Code, relating to public officers." (No. 705.)

"An act to amend section 2693 of the Code of Civil Procedure, relative to the appointment of successors to executors or administrators." (No. 1044.)

"An act to release to Mary Greene all the right, title and interest and estate of the people of the State of New York in and to certain real estate in the village of Youngstown, in the town of Porter, county of Niagara." (No. 701.)

"An act to regulate the lighting of steam passenger cars." (No. 1210.)

"An act making an appropriation for the erection of buildings for the use of the Le Couteulx St. Mary's Institution for the Improved Instruction of Deaf-Mutes." (No. 575.)

"An act to authorize the Board of Claims to hear, audit and determine the claim of Harriet M. Hendricks, and to make an award thereon." (No. 412.)

"An act to provide for the construction of highways between towns in the same county, divided by a navigable tidal stream." (No. 743.)

"An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,' and the acts amendatory thereof, relating to powers of union free school districts, other than in cities and villages." (No. 980.)

"An act to amend section 1 of chapter 344 of the Laws of 1886, entitled 'An act to amend section 1 of chapter 398 of the Laws of 1883, entitled 'An act to amend section 11 of article 1 of title 1 of chapter 16 of part 1 of the Revised Statutes,' relating to commissioners of highways for purchase of road implements.'" (No. 393.)

"An act to reappropriate the moneys appropriated by chapter 193, Laws of 1886, entitled 'An act to provide for the construction of fishways in the State dams across the Oswego and Seneca rivers.'" (No. 270.)

"An act in relation to assessments for local improvements in certain incorporated villages." (No. 775.)

"An act for the preservation of certain ancient vaults and burial plots in Van Cortlandt park in the Twenty-fourth ward of the city of New York, and in Pelham bay park in the county of Westchester." (No. 819.)

"An act relating to paving, repaving and repairing certain streets in the city of New York, and the levying of assessments to pay the expense thereof as a substitute for covenants for paving, repaving and repairing said streets." (No. 882.)

"An act in relation to the old armory building on Thirty-fifth and Thirty-sixth streets, Broadway and Sixth avenue, in the city of New York." (No. 261.)

"An act to reappropriate the unexpended balance of the amount appropriated by chapter 593 of the Laws of 1881, entitled 'An act for the removal of causes of malaria and danger to the public health from a portion of the abandoned Chemung canal and Genesee Valley canal, and making an appropriation for such purposes,' and to direct its expenditure, for the same object." (No. 997.)

"An act to amend chapter 396 of the Laws of 1885, entitled 'An act to revise the charter of the city of Dunkirk.'" (No. 1209.)

"An act to incorporate the Supreme Council of the Emerald Beneficial Association." (Int. No. 1235.)

"An act to release to Henry Spicer, Francis Spicer, Catharine Valentine, Emeline Amelia Scarff, William Spicer, David Spicer, Charles Spicer, Emma Johnson, Sarah Chapman, Georgiana Farrington, Ida Lovell and Mortimer Rabanue, heirs-at-law and next of kin of George Spicer, deceased, any claim or interest that the people of the State of New York may have by escheat or otherwise in and to the estate of Ellen Spicer, deceased, in the city and county and State of New York." (No. 782.)

"An act to provide for the purchase and distribution of a table of expiration of sentences, under chapter 492 of the Laws of 1888." (No. 1043.)

"An act to authorize the Board of Claims to hear, audit and determine the claim of Nicholos Munsch, against the State, for damages to his property, caused by the State by taking dirt from his lands for canal purposes, in the town of Tonawanda." (No. 413.)

"An act for the relief of George A. Vogel." (No. 418.)

"An act reappropriating \$3,000 to provide for the protection and improvement of the public health by the removal of the obstructions from the bed of Mill creek in the vicinity of the Erie canal culvert in the city of Schenectady." (No. 818.)

"An act for the protection of shad and game fish in the river Delaware." (No. 197.)

"An act to authorize the Nyack and Tarrytown Ferry Company to continue a ferry across the Hudson river from Tarrytown, in the county of Westchester, to Nyack, in the county of Rockland." (No. 386.)

"An act to authorize the Board of Claims to hear, audit and determine the claim of John R. Putnam against the State of New York." (No. 727.)

"An act to establish a normal and training school, with an academic department, at the village of White Plains, in the county of Westchester, and to make an appropriation therefor." (No. 998.)

"An act to amend chapter 404 of the Laws of 1875, entitled 'An act to authorize appropriations for the poor adult blind in the city of New York not provided for in public or private institutions.'" (No. 1213.)

"An act to provide for the establishment of a reformatory for women, and making an appropriation therefor." (No. 830.)

"An act for the relief of James C. Hale." (No. 839.)

"An act to amend section 20 of chapter 534 of the Laws of 1879, entitled 'An act for the preservation of moose, wild deer, birds, fish and other game,' as amended by chapter 617 of the Laws of 1887." (No. 765.)

"An act to authorize the Board of Claims to hear, audit and determine the claim of Elizabeth W. Pilon." (No. 781.)

"An act to amend chapter 676 of the Laws of 1887, entitled 'An act to amend chapter 361 of the Laws of 1884, entitled 'An act to establish a State Board of Pharmacy, and to regulate the practice of pharmacy throughout the State of New York, except in the counties of New York, Kings and Erie.'" (No. 812.)

"An act to authorize the city of Buffalo to grade and pave certain streets and highways in said city, recently used as plank roads, and to defray the expense thereof by local assessments of fifteen equal annual installment." (Int. No. 1223.)

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Fish moved that this House adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, the House adjourned.

THURSDAY, MAY 16, 1889.

The House met pursuant to adjournment.

Prayer by Rev. J. L. Reese.

On motion of Mr. Larmon, the journal of yesterday was approved without being read.

The Senate bill (Rec. No. 392) entitled "An act making an appropriation for additional clerk hire in the State Treasurer's office," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Gibbs	Little	Saunders
Ainsworth	Cronin	Graham	Loder	Saxton
Andrus	Crosby	Greene	Longley	Sheehan
Aspinall	Curtis	Groat	Martin	Sheldon
Baker, A. B.	Davidson	Haffner	Maynard	Smith, M. A.
Baker, A. H.	Decker	Hagan	McAdam	Sperry
Barton	Demarest	Hamilton	McCann	Strassburg
Bauer	Dinkelspiel	Harwood	McCarren	Sullivan
Blake	Donaldson	Hayes	McMaster	Towne
Blanchfield	Dunham	Hitt	Mead	Van Gorder
Blumenthal	Edwards	Hornidge	Moody	Walters
Cheney	Endres	Kelly	Mullaney	Whipple
Clark, J.	Fish	King	Nixon	Yetman
Clarke, C. C.	Fitts	Lane	O'Neil	Young
Comstock	Flaherty	Larmon	Peck	Youngman
Connelly	Gallup	Lewis		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the following entitled bills:

"An act to amend section 712 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act, and to declare the special and local laws affecting public interests in the city of New York,' as amended by chapter 567 of the Laws of 1887, relative to the water front of said city" (Rec. No. 412), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to incorporate the Troy and Green Island Bridge Company, for the purpose of constructing and maintaining a bridge, appurtenances and approaches to the same, over the Hudson river from the foot of Douw street in the city of Troy, to some point in the village of Green Island, on the opposite side of said Hudson river" (Rec. No. 376),

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Ainsworth introduced a bill entitled "An act to provide ways and means for the support of government" (Int. No. 1249), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Ainsworth, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 68 }
{ NOES 20 }

Those who voted in the affirmative, were

Acker	Crosby	Gallup	Le Roy	Saunders
Ainsworth	Curtis	Gibbs	Lewis	Saxton
Aspinall	Dante	Greene	Little	Sheehan
Baker, A. B.	Davidson	Groat	Loder	Sheldon
Baker, A. H.	Decker	Guenther	Maynard	Sperry
Barton	Demarest	Hamilton	McAdam	Stevens
Bauer	Dinkelspiel	Harwood	McMaster	Towne
Bush, R. P.	Donaldson	Hitt	Mead	Townsend
Cheney	Dunlap	Hughes	Miller	Upson
Clark, J.	Edwards	Husted	Moody	Van Gorder
Comstock	Endres	Kent	Nixon	Whipple
Coon	Fish	King	Pearsall	Yetman
Cottrell	Fitts	Lane	Peck	Youngman
Cronin	Flaherty	Larmon		

Those who voted in the negative, were

Blake	Connelly	Haggerty	Martin	Roesch
Blanchfield	Duffy	Hayes	McCarren	Schaaff
Blumenthal	Haffner	Kerrigan	Mullaney	Strassburg
Clarke, C. C.	Hagan	Longley	Murray	Sullivan

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Husted, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Arnold, Int. No. 411, entitled "An act to amend subdivision 3 of section 4 of title 1 of chapter 13 of part 1 of the Revised Statutes, entitled 'Of the property liable to taxation,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Husted, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dante	Haffner	McAdam	Saxton
Aspinall	Davidson	Hagan	McCarren	Schaaff
Baker, A. B.	Decker	Haggerty	McKenzie	Sheehan
Baker, A. H.	Demarest	Hayes	McMaster	Sheldon
Barton	Dinkelspiel	Hitt	Mead	Sperry
Bauer	Donaldson	Hughes	Miller	Stevens
Blanchfield	Dunlap	Husted	Moody	Sullivan
Blumenthal	Edwards	Kent	Murray	Towne
Bush, R. P.	Endres	Lane	Newschafer	Townsend
Carson	Fish	Larmon	Nixon	Treadway
Clark, J.	Fitts	Le Roy	Pearsall	Upson
Comstock	Flaherty	Lewis	Rhodes	Van Gorder
Coon	Gibbs	Little	Roesch	Whipple
Cronin	Greene	Loder	Ryan	Yetman
Crosby	Groat	Longley	Saunders	Youngman
Curtis	Guenther	Maynard		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Husted moved that the House do now go into committee of the whole upon Senate bill No. 95, entitled "An act to establish a State Naval Militia." (Rec. No. 47.)

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House then resolved itself into a committee of the whole, and proceeded to the consideration of said bill.

After some time spent therein, Mr. Speaker resumed the chair, and Mr. Sullivan, from said committee, reported progress upon the above-named bill, and asked and obtained leave to sit again.

On motion of Mr. Husted, the committee of the whole was discharged from the further consideration of said bill, and the same was ordered to a third reading, and read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 66 }
 { NOES 27 }

Those who voted in the affirmative, were

Adams	Davidson	Hayes	McCarren	Saxton
Andrus	Demarest	Hitt	McKenzie	Schaaff
Aspinall	Donaldson	Hornidge	McLaughlin	Sheehan
Baker, A. B.	Duffy	Husted	Miller	Smith, C.
Blake	Dunlap	Kelly	Moffitt	Smith, M. A.
Blanchfield	Endres	Kent	Mullaney	Sperry
Blumenthal	Gibbs	Kerrigan	Murray	Stevens

Bush, R. P.	Greene	Kimball	Newschafer	Strassburg
Clarke, C. C.	Groat	King	O'Neil	Sullivan
Connelly	Guenther	Larmon	Rhodes	Townsend
Cottrell	Haffner	Le Roy	Rice	Walters
Cronin	Hagan	Longley	Roesch	Yetman
Crosby	Hamilton	Martin	Ryan	Youngman
Curtis				

Those who voted in the negative, were

Acker	Coon	Harwood	Mead	Saunders
Baker, A. H.	Decker	Hughes	Moody	Towne
Bauer	Dinkelspiel	Lewis	Nixon	Upson
Carson	Dunham	Little	Pearsall	Van Gorder
Cheney	Edwards	McMaster	Peck	Young
Clark, J.	Fish			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

On motion of Mr. Larmon, and by unanimous consent, Senate bill No. 560, entitled "An act to provide for the construction of fishways on all dams hereafter erected in this State on streams that are public highways" (Rec. No. 280), was ordered to be read the third time.

Said bill having been announced for a third reading,

On motion of Mr. Larmon, and by unanimous consent, the same was amended as follows:

Strike out all after the enacting clause and insert the following:

SECTION 1. The sum of \$5,000, or so much thereof as may be necessary, is hereby appropriated, out of any moneys in the treasury not otherwise appropriated, for the purpose of building fishways around the dams in the Hudson river at Mechanicville and Northumberland.

§ 2. It shall be the duty of the Superintendent of Public Works of this State, as soon as practicable, to cause said fishways to be constructed, upon plans to be approved by the Commissioner of Fisheries of this State, and shall maintain the same in a proper manner. The said fishways shall be constructed without injury to the said dams.

Amend the title by inserting after the word "fishways" the words "in the Hudson at Mechanicville and Northumberland."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Dante	Haffner	Longley	Savery
Adams	Davidson	Hagan	Maynard	Saxton
Ainsworth	Decker	Haggerty	McAdam	Schaaff
Aspinall	Demarest	Hayes	McCann	Strassburg
Baker, A. B.	Dinehart	Hughes	McCarren	Sullivan
Bauer	Dinkelspiel	Husted	McKenzie	Tefft

Blanchfield	Donaldson	Kelly	Mead	Towne
Blumenthal	Edwards	Kent	Mullaney	Treadway
Carson	Endres	Kerrigan	Murray	Van Gorder
Cheney	Enz	Kimball	Nixon	Walters
Clark, J.	Fish	Lane	O'Neil	Whipple
Clarke, C. C.	Fitts	Larmon	Rice	Yates
Comstock	Flaherty	Le Roy	Roesch	Yetman
Coon	Gibbs	Lewis	Ryan	Young
Cottrell	Greene	Little	Saunders	Youngman
Curtis	Groat	Loder		

For the negative,

Harwood

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The bill (No. 1171) entitled "An act to amend chapter 436 of the Laws of 1880, entitled 'An act to establish a police department in the city of Buffalo, and to provide for the government thereof,' as amended by chapter 359 of the Laws of 1883, relating to the police department," having been announced for a third reading,

On motion of Mr. Andrus, and by unanimous consent, the same was amended as follows:

Strike out sections 1, 2, 3, 4, 5 and 6.

Make section 7 section 1.

Make section 8 section 2.

Make section 9 section 3.

Make section 10 section 4.

Make section 11 section 5.

Make section 12 section 6.

Make section 13 section 7.

Make section 14 section 8.

Add a new section to be section 9 to read as follows:

"§ 9. This act shall take effect immediately."

Amend the title so as to read as follows:

"An act to establish a police pension fund in the city of Buffalo."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Haggerty	McCarren	Schaaff
Adams	Curtis	Harwood	McKenzie	Sheehan
Ainsworth	Dante	Hayes	McLaughlin	Sheldon
Andrus	Davidson	Hitt	Mead	Smith, C.
Baker, A. B.	Decker	Hughes	Mesick	Smith, T.
Baker, A. H.	Demarest	Husted	Miller	Sperry

Barton	de Peyster	Kelly	Moffitt	Strassburg
Bauer	Dinkelspiel	Kent	Moody	Sullivan
Blanchfield	Donaldson	Kerrigan	Mullaney	Townsend
Bush, G. H.	Dunham	Lane	Murray	Treadway
Bush, R. P.	Dunlap	Larmon	Newschafer	Upson
Carson	Edwards	Le Roy	Peck	Van Gorder
Cheney	Endres	Lewis	Rhodes	Walters
Clark, J.	Gallup	Longley	Rice	Whipple
Clarke, C. C.	Guenther	Martin	Roesch	Young
Comstock	Haffner	Maynard	Saunders	Youngman
Connelly	Hagan	McCann	Savery	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Sheehan moved to lay all orders of business upon the table, for the purpose of going into the order of motions and resolutions.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

{ AYES 50 }
{ NOES 60 }

Those who voted in the affirmative, were

Blake	Duffy	Hitt	McLaughlin	Schaaff
Blanchfield	Dunham	Hornidge	Miley	Sheehan
Blumenthal	Endres	Kelly	Miller	Smith, T.
Bush, R. P.	Fish	Kent	Mullaney	Sperry
Clarke, C. C.	Greene	Kerrigan	Murray	Strassburg
Connelly	Guenther	King	Newschafer	Sullivan
Cronin	Haffner	Longley	O'Neil	Tefft
Crosby	Hagan	Martin	Rice	Townsend
Demarest	Harwood	McCann	Roesch	Yetman
Dinkelspiel	Hayes	McCarren	Ryan	Young

Those who voted in the negative, were

Acker	Coon	Hughes	McMaster	Sheldon
Adams	Cottrell	Husted	Mead	Smith, C.
Ainsworth	Curtis	Kimball	Mesick	Smith, M. A.
Andrus	Dante	Lane	Moffitt	Stevens
Baker, A. B.	Davidson	Larmon	Moody	Towne
Baker, A. H.	Decker	Le Roy	Nixon	Treadway
Barton	Edwards	Lewis	Pearsall	Upson
Bauer	Fitts	Little	Peck	Van Gorder
Carson	Flaherty	Loder	Rhodes	Walters
Cheney	Gibbs	Maynard	Saunders	Whipple
Clark, J.	Groat	McAdam	Savery	Youngman
Comstock	Hamilton	McKenzie	Saxton	Speaker

The Senate bill (No. 576) entitled "An act to provide for the removal of the canal bridge over the Erie canal at Culver street in the city of Rochester, and to provide for the construction of an iron bridge over

the Erie canal at that point, and making an appropriation therefor " (Rec. No. 272), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Haffner	McCarren	Saunders
Adams	Crosby	Hagan	McKenzie	Savery
Ainsworth	Curtis	Haggerty	Mead	Schaaff
Andrus	Davidson	Hitt	Mesick	Smith, C.
Aspinall	Decker	Hughes	Miley	Smith, M. A.
Baker, A. B.	Demarest	Husted	Miller	Sperry
Baker, A. H.	Dinkelspiel	Kelly	Moffitt	Stevens
Barton	Donaldson	Kent	Moody	Sullivan
Bauer	Dunlap	Kerrigan	Murray	Tefft
Brown	Edwards	Kimball	Newschafer	Towne
Brownell	Endres	Le Roy	Pearsall	Townsend
Bush, G. H.	Fish	Lewis	Peck	Upson
Carson	Fitts	Loder	Rhodes	Walters
Cheney	Gibbs	Longley	Rice	Whipple
Clarke, C. C.	Graham	Martin	Roesch	Yetman
Comstock	Groat	McAdam	Ryan	Youngman
Connelly	Guenther	McCann		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Sheehan presented resolutions from the Real Estate Exchange and Auction Room (limited); which were laid upon the table.

Mr. Dunlap introduced a bill entitled "An act to amend section 290 of the Penal Code" (Int. No. 1250), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Dunlap, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Hamilton	McKenzie	Sheldon
Ainsworth	Demarest	Harwood	McLaughlin	Smith, C.
Andrus	Dinkelspiel	Hitt	McMaster	Sperry
Aspinall	Donaldson	Hornidge	Mead	Stevens
Baker, A. B.	Duffy	Hughes	Mesick	Towne
Bauer	Dunham	Husted	Miley	Townsend

Cheney	Dunlap	Kent	Murray	Treadway
Clarke, C. C.	Edwards	Kerrigan	Newschafer	Upson
Comstock	Endres	King	Nixon	Van Gorder
Connelly	Fish	Larmon	Roesch	Walters
Coon	Fitts	Le Roy	Ryan	Whipple
Cottrell	Gallup	Lewis	Saunders	Yates
Cronin	Gibbs	Loder	Savery	Yetman
Crosby	Graham	Longley	Saxton	Young
Curtis	Greene	Martin	Sheehan	Youngman
Davidson	Haggerty	McCann		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate returned the bill entitled "An act to provide for recording and indexing instruments affecting land in the city of New York according to city blocks or other limited areas" (No. 533), with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, line 4, strike out the word "July" and insert the word "January."

Same section, line 5, after the word "ninety" insert the word "one."

Same section, same line, after the word "be" insert the words "recorded and."

Section 7, line 1, strike out the word "said" and insert the word "the."

Same section, line 2, after the word "apportionment" insert the words "of said city."

Section 9, line 1, after the word "to" insert the words "provide and."

Same section, at the end of line 4, add the words "together with books of record in which shall be recorded at length conveyances and mortgages recorded in his office, each of which shall be indorsed with its proper liber number, as well as with the number of the section to which it shall relate, and which shall contain the record of instruments relating to land in that section."

Section 14, line 5, strike out the word "of" (second occurring) and insert the word "in."

Section 21, line 5, after the word "act" insert the words "until the 1st day of January, 1891."

Section 24, line 2, after the word "to" insert the words "recording and."

Same section, line 3, strike out the word "July" and insert the word "January."

Same section, line 4, after the word "ninety" insert the word "one."

In Schedule B, change the word "satisfaction" to "satisfactions."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 77 }
 { NOES 00 }

Those who voted in the affirmative, were

Acker	Haffner	Loder	Newschafer	Smith, T.
Adams	Hagan	Longley	Nixon	Sperry
Ainsworth	Haggerty	Martin	O'Neil	Stevens
Aspinall	Hamilton	Maynard	Pearsall	Strassburg
Baker, A. B.	Hitt	McAdam	Peck	Sullivan
Bauer	Hornidge	McCann	Rhodes	Towne
Carson	Hughes	McCarren	Ryan	Treadway
Crosby	Husted	McKenzie	Saunders	Upton
Curtis	Kelly	McLaughlin	Savery	Van Gorder
Decker	Kent	McMaster	Saxton	Walters
Demarest	Kerrigan	Mesick	Schaaff	Whipple
Dinkelspiel	Lane	Miller	Sheehan	Yates
Dunham	Larmon	Moffitt	Sheldon	Yetman
Dunlap	Le Roy	Moody	Smith, C.	Young
Endres	Lewis	Mullaney	Smith, M. A.	Youngman
Groat	Little			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act to amend chapter 414 of the Laws of 1881, entitled 'An act permitting the verification of pleadings in justices' courts'" (No. 62), with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, lines 5 and 6, strike out the words "passed May 28, 1881."

Same section, strike out all in lines from 8 to 21 inclusive, and insert in place thereof the following:

"§ 3. In a case specified in sections 1 and 2 of this act, a party may demur to the pleading of the adverse party, or, if it is a complaint, to one or more distinct and separate causes of action, where it is not sufficiently explicit to be understood; or where it does not state facts sufficient to constitute a cause of action or counterclaim, as the case may be. If the court deems the demurrer well founded, it must permit the pleadings to be amended; and if the party fails so to amend, the defective pleading, or part of a pleading, demurred to, must be disregarded. If the court deems the demurrer not well founded, it must permit the party making it to plead over at his election."

Change "§ 2" to "§ 3," and insert as section 2 the following:

"§ 2. Section 4 of said act is hereby amended so as to read as follows:

"§ 4. In case the defendant fails to answer said complaint, as herein-before provided, at the time of the return of said summons he shall be deemed to have admitted the allegations of the complaint as true, and the court shall, upon filing the summons and complaint, with due proof of the service thereof, enter judgment for the said plaintiff and against the defendant, for the amount demanded in such complaint, with costs, without further proof."

By unanimous consent.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority

of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Davidson	Hitt	McKenzie	Savery
Ainsworth	Decker	Hornidge	McLaughlin	Schaaff
Andrus	Demarest	Hughes	McMaster	Sheldon
Aspinall	Dinkelspiel	Husted	Mead	Smith, C.
Baker, A. B.	Donaldson	Kelly	Mesick	Smith, M. A.
Barton	Edwards	Kent	Miller	Smith, T.
Bauer	Endres	Kerrigan	Moffitt	Sperry
Blake	Fish	Kimball	Moody	Stevens
Blanchfield	Fitts	Lane	Murray	Strassburg
Blumenthal	Flaherty	Larmon	Newschafer	Towne
Bush, R. P.	Graham	Le Roy	Nixon	Townsend
Carson	Greene	Loder	Pearsall	Treadway
Cheney	Groat	Longley	Peck	Upson
Clark, J.	Haffner	Martin	Rhodes	Walters
Coon	Hagan	Maynard	Rice	Whipple
Cottrell	Haggerty	McAdam	Roesch	Yetman
Crosby	Hamilton	McCann	Ryan	Young
Curtis	Harwood	McCarren	Saunders	Youngman
Dante				

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in their amendments.

The Senate returned the "Concurrent resolution proposing an amendment to article 6 of the Constitution relating to election of additional justices of the Supreme court" (Int. No. 1186), with a message that they have concurred in the passage of the same, with the following amendments:

Line 8, before the word "second" insert the words "first and."

Line 11, strike out the words "the second" and insert the words "each of said."

Same line, after the word "district" insert the words "and one justice of said court in addition to the justices of that court now authorized by law to be elected in each of the following judicial districts, to wit: The third, fourth, fifth, sixth, seventh and eighth judicial districts."

Same line, strike out the word "June" and insert the word "January."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Husted	McKenzie	Sheehan
Adams	Curtis	Kelly	McLaughlin	Smith, C.
Ainsworth	Davidson	Kent	McMaster	Smith, M. A.

Andrus	Decker	Kerrigan	Mead	Smith, T.
Aspinall	Dinkelspiel	Kimball	Miley	Sperry
Baker, A. B.	Donaldson	Lane	Miller	Stevens
Barton	Duffy	Larmon	Moffitt	Towne
Bauer	Dunlap	Le Roy	Moody	Townsend
Blake	Edwards	Lewis	Newschafer	Treadway
Blanchfield	Fish	Little	Nixon	Upson
Blumenthal	Fitts	Loder	O'Neil	Van Gorder
Carson	Greene	Longley	Rice	Walters
Cheney	Groat	Martin	Roesch	Whipple
Clark, J.	Haffner	Mase	Ryan	Yates
Comstock	Hagan	McAdam	Saunders	Yetman
Connelly	Hornidge	McCann	Saxton	Youngman
Coon	Hughes	McCarren	Schaaff	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate sent for concurrence the following entitled bill:

"An act to amend section 681 of the Code of Criminal Procedure, relative to indictments against corporations" (Rec. No. 413), which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Senate returned the resolution adopted April twenty-second rescinding the vote by which the resolution was adopted for final adjournment of the Legislature, with a message that they do non-concur in the passage of the same.

The Senate returned the bill entitled "An act for the protection of fish in the waters of Owasco lake, Cayuga lake, Seneca lake and their outlets, and Seneca river" (No. 965), with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, line 4, strike out the words "or Seneca lake."

Same section, line 5, strike out the words "Canandaigua outlet."

Amend the title by striking out the words "Seneca lake" and "Canandaigua outlet."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 77 }
{ NOES 3 }

Those who voted in the affirmative, were

Acker	Demarest	Husted	McCarren	Savery
Adams	Donaldson	Kent	McKenzie	Sheldon
Ainsworth	Duffy	Kerrigan	McMaster	Smith, C.
Andrus	Dunham	Kimball	Mead	Smith, M. A.
Aspinall	Endres	King	Mesick	Sperry
Baker, A. B.	Greene	Lane	Miley	Strassburg
Baker, A. H.	Groat	Larmon	Moffitt	Tefft
Barton	Guenther	Le Roy	Moody	Towne

Bauer	Haffner	Lewis	Murray	Treadway
Blake	Hagan	Little	Newschafer	Van Gorder
Blanchfield	Haggerty	Loder	O'Neil	Walters
Blumenthal	Hamilton	Longley	Pearsall	Whipple
Carson	Hayes	Martin	Rhodes	Yates
Cheney	Hitt	McAdam	Roesch	Young
Comstock	Hornidge	McCann	Saunders	Youngman
Decker	Hughes			

Those who voted in the negative, were

Ryan Saxton Schaaff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

A message from the Senate was received and read in the words following:

To the Legislature:

The undersigned, appointed by the Senate and Assembly as a committee of conference relative to the matters of difference arising between the two Houses upon the Assembly bill entitled "An act to improve the sanitary condition of the Capitol, and making an appropriation therefor" (No. 1081), report that they have duly conferred upon said matters, and agreed to recommend as follows:

That the Assembly do concur in the amendments to the bill which were adopted in the Senate.

All of which is respectfully submitted.

ALBANY, *May 16, 1889.*

GEO. B. SLOAN,
FRANK B. ARNOLD,
JOHN J. LINSON,

Senate Committee.

J. W. HUSTED,
ROBERT RAY HAMILTON,
M. A. SMITH,
GEO. W. GREENE,

Assembly Committee.

IN SENATE, *May 16, 1889.*

Report of committee of conference agreed to.

By order.

JOHN S. KENYON, *Clerk.*

Pending the consideration of the report,
Mr. Haggerty moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the report of the committee of conference, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 69 }
 { NOES 42 }

Those who voted in the affirmative, were

Adams	Duffy	Kelly	Miley	Sheldon
Barton	Edwards	Kent	Miller	Smith, C.
Bauer	Endres	Kerrigan	Moffitt	Smith, M. A.
Blake	Fitts	Kimball	Mullaney	Strassburg
Blanchfield	Gibbs	Larmon	Murray	Sullivan
Blumenthal	Graham	Le Roy	Newschafer	Tefft
Bush, R. P.	Greene	Lewis	O'Neil	Townsend
Coon	Guenther	Loder	Peck	Van Gorder
Cronin	Haffner	Longley	Rice	Walters
Curtis	Haggerty	Mase	Roesch	Yates
Davidson	Hamilton	McCann	Ryan	Yetman
Decker	Hitt	McCarren	Saunders	Young
Demarest	Hornidge	McLaughlin	Saxton	Youngman
Dinkelspiel	Husted	Mead	Schaaff	

Those who voted in the negative, were

Acker	Connelly	Gallup	McKenzie	Sheehan
Aspinall	Cottrell	Groat	McMaster	Sperry
Baker, A. B.	Crosby	Harwood	Mesick	Stevens
Baker, A. H.	Dante	Hughes	Moody	Towne
Brown	de Peyster	Little	Nixon	Treadway
Brownell	Donaldson	Martin	Pearsall	Upson
Carson	Dunham	Maynard	Rhodes	Whipple
Cheney	Dunlap	McAdam	Savery	Speaker
Clark, J.	Fish			

Ordered That the Clerk return said bill to the Senate, with a message that the Assembly have agreed to the report of the committee of conference thereon.

Mr. Fish offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 830, entitled "An act to provide for the establishment of a reformatory for women, and making an appropriation therefor," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Sheehan introduced a bill entitled "An act making an appropriation for the payment of New Capitol employes by the State Treasurer" (Int. No. 1251), which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Sheehan, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Decker	Hitt	McCarren	Saxton
Ainsworth	Dinkelspiel	Huntting	McMaster	Schaaff
Aspinall	Duffy	Husted	Mesick	Sheehan
Baker, A. H.	Dunlap	Kent	Miley	Sheldon
Bauer	Endres	Kimball	Moffitt	Smith, C.
Blake	Fitts	King	Moody	Smith, T.
Blanchfield	Flaherty	Lane	Mullaney	Sperry
Brownell	Gallup	Larmon	Murray	Strassburg
Carson	Gibbs	Le Roy	Newschafer	Sullivan
Cheney	Graham	Lewis	O'Neil	Townsend
Comstock	Greene	Little	Peck	Treadway
Connelly	Guenther	Loder	Rice	Van Gorder
Coon	Haffner	Longley	Roesch	Whipple
Cronin	Hagan	Martin	Ryan	Yetman
Curtis	Haggerty	McAdam	Saunders	Young
Davidson	Hayes	McCann	Savery	Youngman

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That 1,500 extra copies of the sixteenth annual report of the State Commissioner in Lunacy be printed on sixty-pound paper and bound in cloth, for distribution under direction of said commission.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 77 }
{ NOES 7 }

Those who voted in the affirmative, were

Acker	Davidson	Hitt	McCarren	Sheehan
Adams	Decker	Husted	McLaughlin	Smith, C.
Ainsworth	Demarest	Kelly	McMaster	Sperry
Andrus	Dinkelspiel	Kent	Mead	Stevens
Baker, A. B.	Donaldson	Kimball	Mesick	Strassburg
Baker, A. H.	Dunlap	Lane	Miller	Sullivan
Barton	Endres	Larmon	Moody	Tefft
Bauer	Fitts	Le Roy	O'Neil	Towne
Blake	Gibbs	Lewis	Rhodes	Townsend
Blanchfield	Graham	Loder	Rice	Treadway
Bush, R. P.	Greene	Longley	Roesch	Walters
Carson	Groat	Martin	Ryan	Whipple
Cheney	Guenther	Mase	Saunders	Yates

Clarke, C. C.	Hagan	Maynard	Savery	Yetman
Comstock	Haggerty	McCann	Schaaff	Youngman
Coon	Hamilton			

Those who voted in the negative, were

Blumenthal	Crosby	Gallup	Harwood	Van Gorder
Connelly	Edwards			

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill entitled "An act to provide for the erection and maintenance of a free public bathing-house in the city of New York" (No. 1113), with a message that they have concurred in the passage of the same, with the following amendments:

Section 2, strike out the words "in the city of New York upon the plot of ground and open space formed by the intersection of Park street, Baxter street, Worth street and Mission Place, commonly called Paradise Park, now owned by said city" and insert the words "at such place in the Second Assembly district of the city of New York as said board of bathing-house commissioners may have previously determined upon."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES	82 }
{ NOES	00 }

Those who voted in the affirmative, were

Acker	Cottrell	Haffner	Loder	Savery
Ainsworth	Crosby	Hagan	Longley	Saxton
Baker, A. B.	Curtis	Haggerty	Martin	Sheehan
Baker, A. H.	Dante	Hamilton	Maynard	Sheldon
Barton	Davidson	Hitt	McAdam	Smith, C.
Bauer	Decker	Hughes	McCann	Smith, M. A.
Blake	Demarest	Husted	McCarren	Stevens
Blanchfield	de Peyster	Kelly	McKenzie	Strassburg
Blumenthal	Dinkelspiel	Kent	McLaughlin	Sullivan
Brown	Duffy	Kerrigan	McMaster	Tefft
Carson	Dunham	Kimball	Mullaney	Towne
Cheney	Endres	Lane	Murray	Townsend
Clark, J.	Enz	Larmon	Nixon	Treadway
Clarke, C. C.	Fitts	Le Roy	Pearsall	Van Gorder
Comstock	Gallup	Lewis	Ryan	Walters
Connelly	Gibbs	Little	Saunders	Whipple
Coon	Guenter			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill No. 830, entitled "An act to provide for the establishment of a reformatory for women," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

On motion of Mr. Saxton, and by unanimous consent, Senate bill No. 498, entitled "An act to amend section 459 of the Code of Criminal Procedure, relative to duties of stenographers" (Rec. No. 188), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Haggerty	Mead	Savery
Adams	Dante	Hayes	Mesick	Stevens
Ainsworth	Davidson	Hughes	Miley	Strassburg
Andrus	Decker	Kelly	Miller	Sullivan
Aspinall	Demarest	Kent	Murray	Tefft
Baker, A. B.	Dinehart	Lane	Newschafer	Towne
Baker, A. H.	Dinkelspiel	Little	Rhodes	Townsend
Barton	Dunham	Loder	Rice	Treadway
Bauer	Endres	Longley	Roesch	Van Gorder
Blanchfield	Fish	Martin	Saunders	Walters
Brown	Graham	Maynard	Savery	Whipple
Bush, R. P.	Greene	McAdam	Saxton	Yates
Carson	Groat	McCann	Sheehan	Yetman
Clarke, C. C.	Guenther	McCarren	Smith, M. A.	Young
Comstock	Haffner	McKenzie	Smith, T.	Youngman
Connelly	Hagan	McLaughlin		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill entitled "An act requiring the county clerks of each of the counties of this State to keep a register of the moneys directed by the judgments, decrees and orders of the courts to be deposited with the county treasurer of his county" (No. 484), with a message that they have concurred in the passage of the same with the following amendments:

Add as section 3 the following:

"§ 3. This act shall not apply to the city of New York."

Change section "3" to section "4."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Dante	Hitt	McCarren	Sheehan
Adams	Davidson	Hornidge	McKenzie	Sheldon
Ainsworth	Decker	Hughes	McMaster	Smith, C.
Andrus	Dinkelspiel	Husted	Mead	Smith, M. A.
Aspinall	Donaldson	Kelly	Mesick	Smith, T.
Baker, A. B.	Duffy	Kent	Moffitt	Sperry
Baker, A. H.	Dunlap	Kerrigan	Moody	Stevens
Bauer	Edwards	Kimball	Murray	Sullivan
Blanchfield	Fitts	Le Roy	Newschafer	Towne
Brown	Flaherty	Lewis	Nixon	Townsend
Bush, R. P.	Gallup	Little	Peck	Treadway
Carson	Groat	Loder	Rhodes	Van Gorder
Cheney	Guenther	Longley	Rice	Walters
Clarke, C. C.	Haffner	Martin	Roesch	Whipple
Coon	Hagan	Maynard	Saunders	Yates
Cottrell	Haggerty	McAdam	Savery	Yetman
Cronin	Hayes	McCann	Schaaff	Youngman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act requiring clerks of the counties of this State to execute bonds for the faithful discharge of their duties and to account for and pay over all moneys deposited with them, as such clerks, pursuant to law or the orders of courts" (No. 669), with a message that they have concurred in the passage of the same, with the following amendment:

Section 1, line 3, after the word "appointed" insert the words "except in the county of New York."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Greene	Martin	Saunders
Andrus	Cottrell	Haffner	Maynard	Savery
Aspinall	Cronin	Hagan	McAdam	Schaaff
Baker, A. B.	Crosby	Haggerty	McCann	Sheldon
Baker, A. H.	Curtis	Hitt	McCarren	Smith, C.
Barton	Dante	Hornidge	McKenzie	Smith, M. A.
Bauer	Davidson	Hughes	McMaster	Sperry
Blake	Decker	Husted	Mead	Strassburg
Blanchfield	Demarest	Kerrigan	Miller	Tefft
Blumenthal	Dinehart	Kimball	Moffitt	Towne
Bush, R. P.	Dinkelspiel	Lane	Moody	Upson
Carson	Donaldson	Larmon	Murray	Van Gorder

Cheney	Duffy	Le Roy	Newschafer	Walters
Clark, J.	Edwards	Lewis	Nixon	Whipple
Clarke, C. C.	Endres	Little	Rhodes	Young
Comstock	Fish	Loder	Roesch	Youngman
Connelly	Gibbs	Longley	Ryan	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

The Senate returned the resolution relative to the appointment of a special committee to visit the various normal schools in this State, with a message that they have appointed as such committee on the part of the Senate, Senators Hendricks and Linson.

A communication from the Governor was received and read in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, May 16, 1889.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 830, entitled "An act to provide for the establishment of a reformatory for women, and making an appropriation therefor."

DAVID B. HILL.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Connelly	Fitts	Longley	Pearsall
Adams	Coon	Flaherty	Martin	Peck
Ainsworth	Cottrell	Graham	Maynard	Rhodes
Andrus	Cronin	Greene	McAdam	Rice
Aspinall	Crosby	Haggerty	McCann	Roesch
Baker, A. B.	Curtis	Hamilton	McCarren	Ryan
Baker, A. H.	Dante	Hayes	McKenzie	Saunders
Barton	Davidson	Hitt	McLaughlin	Savery
Bauer	Decker	Hughes	Mead	Saxton
Blake	Demarest	Husted	Mesick	Schaaff
Blanchfield	Dinehart	Kelly	Miley	Sperry
Blumenthal	Dinkelspiel	Kent	Moffitt	Sullivan
Brownell	Donaldson	Kerrigan	Moody	Tefft
Bush, G. H.	Dunham	Kimball	Mullaney	Treadway
Bush, R. P.	Dunlap	Lane	Murray	Van Gorder
Clark, J.	Edwards	Le Roy	Newschafer	Young
Clarke, C. C.	Endres	Little	Nixon	Youngman
Comstock	Fish	Loder		

The vote upon the final passage of said bill having been reconsidered, On motion of Mr. Fish, and by unanimous consent, the same was amended as follows:

Section 2, lines 3 and 4, engrossed bill, strike out the words "by and with the advice and consent of the Senate."

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Decker	Hagan	McLaughlin	Saxton
Ainsworth	Demarest	Haggerty	Mead	Schaaaff
Andrus	de Peyster	Harwood	Mesick	Sheehan
Aspinall	Dinehart	Hitt	Miley	Sheldon
Baker, A. B.	Dinkelspiel	Hughes	Moody	Smith, C.
Baker A. H.	Donaldson	Husted	Mullaney	Stevens
Barton	Duffy	Kelly	Murray	Sullivan
Blanchfield	Dunlap	Kent	Newschafer	Tefft
Bush, R. P.	Edwards	Kerrigan	Nixon	Van Gorder
Connelly	Endres	Kimball	Peck	Walters
Coon	Fish	Lane	Rhodes	Whipple
Cottrell	Fitts	Larmon	Rice	Yates
Crosby	Flaherty	Le Roy	Roesch	Yetman
Curtis	Greene	Loder	Ryan	Young
Dante	Groat	Longley	Saunders	Youngman
Davidson	Guenther	McKenzie	Savery	

For the negative,

Blumenthal

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate bill (Rec. No. 367) entitled "An act to amend chapter 276 of the Laws of 1880, entitled 'An act to amend chapter 251 of the Laws of 1857, entitled An act to amend and consolidate the charter of the village of Le Roy,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Haffner	McCarren	Schaaaff
Ainsworth	Cottrell	Hagan	McKenzie	Sheldon
Andrus	Crosby	Haggerty	McMaster	Smith, C.
Aspinall	Davidson	Hamilton	Mesick	Smith, M. A.
Baker, A. B.	Decker	Hitt	Miley	Stevens
Barton	Demarest	Hughes	Moffitt	Sullivan
Bauer	de Peyster	Kelly	Moody	Tefft
Blake	Dinehart	Kimball	Mullaney	Towne

Blanchfield	Dinkelspiel	Lane	Murray	Townsend
Brownell	Donaldson	Le Roy	Newschafer	Treadway
Bush, R. P.	Duffy	Lewis	Nixon	Van Gorder
Carson	Edwards	Little	Rice	Walters
Cheney	Endres	Loder	Roesch	Whipple
Clark, J.	Fitts	Longley	Ryan	Yetman
Comstock	Gallup	McAdam	Saunders	Young
Connolly	Groat	McCann	Savery	Youngman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Husted, from the committee on rules, to which was referred the report of the special committee on rules appointed by resolution of the Assembly of 1888, reported in favor of the adoption of the same, as set forth in Assembly document No. 103, with amendments, which report was agreed to, and ordered printed as amended.

(See Doc. No. 109.)

Mr. Crosby, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Sullivan, Int. No. 1122, entitled "An act for the relief of Daniel McCabe, assignee, for services rendered and materials furnished in putting up window shades and awnings upon certain public buildings of the city of New York, in the county and State of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Sullivan moved that this bill be now read the third time.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Dante	Hitt	McKenzie	Saxton
Adams	Davidson	Hughes	McMaster	Schaaff
Ainsworth	Decker	Husted	Mesick	Sheehan
Andrus	Demarest	Kelly	Miley	Sheldon
Aspinall	de Peyster	Kent	Moffitt	Smith, C.
Baker, A. B.	Dinchart	Kimball	Moody	Sperry
Barton	Dinkelspiel	Lane	Mullaney	Stevens
Bauer	Donaldson	Larmon	Murray	Strassburg
Blake	Duffy	Le Roy	Newschafer	Sullivan
Blanchfield	Dunlap	Lewis	Nixon	Townsend
Brownell	Greene	Little	Pearsall	Treadway
Bush, R. P.	Groat	Loder	Peck	Upson
Carson	Guenther	Longley	Rhodes	Van Gorder
Cheney	Haffner	Martin	Rice	Walters
Clarke, C. C.	Hagan	Mase	Roesch	Whipple

Comstock	Haggerty	McAdam	Ryan	Yetman
Connelly	Harwood	McCann	Saunders	Young
Crosby	Hayes	McCarren	Savery	Youngman
Curtis				

For the negative,
Hamilton

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Crosby, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Worth, Int. No. 339, entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn, with reference to the fire marshal,'" reported in favor of the passage of the same, with amendments, which report was agreed to.

On motion of Mr. Haggerty, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Coon	Haffner	Martin	O'Neil
Ainsworth	Curtis	Hagan	Maynard	Peck
Andrus	Dante	Haggerty	McAdam	Rice
Aspinall	Davidson	Harwood	McCann	Roesch
Baker, A. B.	Decker	Hayes	McCarren	Ryan
Baker, A. H.	Demarest	Hitt	McKenzie	Saunders
Barton	Dinehart	Hughes	McLaughlin	Savery
Bauer	Dinkelspiel	Husted	McMaster	Saxton
Blake	Donaldson	Kelly	Mesick	Schaaff
Blanchfield	Duffy	Kent	Miley	Sheehan
Blumenthal	Edwards	Lane	Moffitt	Sheldon
Brownell	Endres	Le Roy	Moody	Smith, M. A.
Bush, R. P.	Gibbs	Lewis	Mullaney	Smith, T.
Carson	Graham	Little	Murray	Stevens
Cheney	Greene	Loder	Newschafer	Strassburg
Comstock	Guenther	Longley	Nixon	Yetman
Connelly				

For the negative,
Sperry

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The Senate bill (No. 701) entitled "An act to authorize and empower the Commissioners of the Land Office and managers of the State Indus-

trial School to grant to the city of Rochester a right of way for a public street through the lands of the State appurtenant to the State Industrial School at Rochester" (Rec. No. 340), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Comstock	Gibbs	Martin	Peck
Adams	Connolly	Guenther	Maynard	Rice
Ainsworth	Coon	Haffner	McAdam	Roesch
Andrus	Cronin	Hagan	McCann	Saunders
Baker, A. B.	Dante	Haggerty	McCarren	Savery
Baker, A. H.	Davidson	Harwood	McKenzie	Schaaft
Barton	Decker	Hayes	McMaster	Sheehan
Bauer	Demarest	Hitt	Mesick	Sheldon
Blake	Dinehart	Hughes	Miley	Smith, C.
Blanchfield	Dinkelspiel	Husted	Miller	Smith, T.
Blumenthal	Donaldson	Kelly	Moffitt	Sperry
Brown	Duffy	Lane	Mullaney	Stevens
Brownell	Dunham	Larmon	Murray	Sullivan
Bush, R. P.	Dunlap	Lewis	Newschafer	Towne
Carson	Edwards	Little	Nixon	Townsend
Cheney	Endres	Loder	O'Neil	Youngman
Clark, J.	Gallup	Longley		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 724) entitled "An act to regulate the commitment and discharge of certain prisoners, tramps and vagrants in Columbia county, and to prescribe the effect thereof; to provide for the support of the prisoners in the jail in the city of Hudson, and to fix the duties and compensation of the sheriff of said county, and of certain employes in the jail in said county" (Rec. No. 375), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Gibbs	Le Roy	Newschafer
Ainsworth	Cronin	Graham	Lewis	O'Neil
Andrus	Curtis	Greene	Little	Peck
Aspinall	Dante	Guenther	Loder	Rhodes

Baker, A. B.	Davidson	Haffner	Longley	Rice
Baker, A. H.	Decker	Haggerty	Martin	Roesch
Barton	Demarest	Hayes	McAdam	Ryan
Bauer	de Peyster	Hitt	McCann	Saunders
Blake	Dinkelspiel	Hornidge	McCarren	Savery
Blanchfield	Donaldson	Hughes	McKenzie	Schaaff
Brownell	Duffy	Husted	McLaughlin	Sheehan
Bush, G. H.	Dunham	Kelly	McMaster	Sheldon
Carson	Dunlap	Kent	Miley	Smith, C.
Cheney	Edwards	Kerrigan	Miller	Smith, M. A.
Clarke, C. C.	Endres	Lane	Moffitt	Whipple
Comstock	Fitts	Larmon	Moody	Youngman
Coon				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 674) entitled "An act to amend section 3 of chapter 542 of the Laws of 1880, entitled 'An act to provide for raising taxes for the use of the State upon certain corporations, joint-stock companies and associations,' as amended by chapter 361 of the Laws of 1881, and subsequent acts" (Rec. No. 345), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three fifths being present.

{ AYES 77 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Cronin	Hamilton	Maynard	Schaaff
Ainsworth	Curtis	Hitt	McAdam	Sheehan
Andrus	Dante	Hughes	McKenzie	Sheldon
Aspinall	Davidson	Husted	McMaster	Smith, C.
Barton	Decker	Kelly	Mead	Sperry
Bauer	Demarest	Kent	Moffitt	Stevens
Blake	Dinehart	Lane	Moody	Strassburg
Blanchfield	Dinkelspiel	Larmon	Mullaney	Sullivan
Blumenthal	Donaldson	Le Roy	Newschafer	Tefft
Brown	Edwards	Lewis	Peck	Towne
Bush, R. P.	Endres	Little	Rhodes	Townsend
Clarke, C. C.	Fitts	Loder	Roesch	Treadway
Comstock	Greene	Longley	Ryan	Upson
Connelly	Groat	Martin	Saunders	Whipple
Coon	Guenther	Mase	Savery	Yetman
Cottrell	Haffner			

For the negative,

Van Gorder

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 602) entitled "An act to authorize the Superintendent of Public Works of the State of New York to protect the highway along the west bank of the Genesee river at Rochester from injury because of the erection and maintenance of the State dam at the head of the Genesee river feeder dam to the Erie canal, making an appropriation therefor, and reappropriating money heretofore appropriated for that purpose" (Rec. No. 350), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Coon	Guenther	McCarren	Saxton
Adams	Crosby	Haffner	McKenzie	Schaaff
Ainsworth	Curtis	Hagan	McLaughlin	Sheehan
Andrus	Dante	Haggerty	McMaster	Sheldon
Aspinall	Davidson	Hamilton	Mesick	Smith, M. A.
Baker, A. B.	Demarest	Hayes	Miller	Sperry
Baker, A. H.	Dinkelspiel	Hitt	Moffitt	Stevens
Barton	Duffy	Hughes	Moody	Sullivan
Bauer	Dunlap	Husted	Mullaney	Tefft
Blumenthal	Edwards	Kent	Murray	Towne
Brown	Endres	Lane	Newschafer	Treadway
Bush, R. P.	Fish	Larmon	Nixon	Upson
Carson	Fitts	Little	Pearsall	Van Gorder
Cheney	Flaherty	Loder	Roesch	Whipple
Clark, J.	Graham	Longley	Ryan	Yates
Comstock	Greene	Martin	Saunders	Yetman
Connelly	Groat	Maynard	Savery	Youngman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 290) entitled "An act to authorize the common council of the city of Utica to raise by tax and disburse money in providing an additional engine-house in said city" (Rec. No. 103), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, three-fifths being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cottrell	Greene	McAdam	Savery
Adams	Cronin	Groat	McCann	Saxton
Ainsworth	Crosby	Guenther	McCarren	Schaaff
Andrus	Curtis	Haffner	McKenzie	Sheehan

Aspinall	Dante	Hagan	McMaster	Sheldon
Baker, A. B.	Davidson	Hamilton	Mead	Smith, C.
Baker, A. H.	Decker	Hayes	Mesick	Smith, T.
Barton	Demarest	Hitt	Miller	Sperry
Bauer	Dinehart	Hornidge	Moffitt	Tefft
Blake	Dinkelspiel	Husted	Moody	Towne
Blumenthal	Donaldson	Kelly	Mullaney	Townsend
Bush, R. P.	Dunham	Kent	Newschafer	Treadway
Carson	Dunlap	Lane	Nixon	Upson
Cheney	Edwards	Larmon	Pearsall	Van Gorder
Clark, J.	Endres	Lewis	Rice	Whipple
Clarke, C. C.	Fish	Little	Roesch	Yetman
Comstock	Fitts	Loder	Ryan	Young
Connelly	Gallup	Martin	Saunders	Youngman
Coon	Graham			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 74) entitled "An act to abolish the office of State agent for discharged convicts" (Rec. No. 39), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 68 }
{ NOES 18 }

Those who voted in the affirmative, were

Acker	Comstock	Edwards	Lewis	Savery
Adams	Coon	Fish	Little	Saxton
Ainsworth	Cottrell	Fitts	Loder	Sheehan
Aspinall	Crosby	Flaherty	Maynard	Sheldon
Baker, A. B.	Curtis	Graham	McKenzie	Smith, C.
Baker, A. H.	Dante	Greene	McMaster	Stevens
Barton	Davidson	Groat	Mead	Strassburg
Bauer	Decker	Hagan	Mesick	Treadway
Brown	Demarest	Hughes	Miley	Upson
Brownell	de Peyster	Husted	Nixon	Van Gorder
Bush, R. P.	Dinehart	Kimball.	Pearsall	Walters
Carson	Donaldson	Lane	Roesch	Whipple
Cheney	Dunham	Larmon	Saunders	Yates
Clark, J.	Dunlap	Le Roy		

Those who voted in the negative, were

Blanchfield	Endres	Longley	Moffitt	Ryan
Connelly	Guenther	Martin	Newschafer	Sullivan
Cronin	Haffner	McCarren	O'Neil	Young
Dinkelspiel	Hayes	Miller		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Husted offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill Int. No. 1248, entitled "An act to amend chapter 81 of the Laws of 1889, entitled 'An act to provide for the erection of a building for certain purposes relating to the public interests in the city of New York,'" now on the order of third reading, do now have its third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members elected to the Assembly not voting in favor thereof.

{ AYES 64 }
{ NOES 41 }

Those who voted in the affirmative, were

Acker	Comstock	Fitts	Mase	Smith, C.
Adams	Coon	Flaherty	Maynard	Smith, M. A.
Ainsworth	Cottrell	Gallup	McKenzie	Sperry
Aspinall	Crosby	Groat	McMaster	Stevens
Baker, A. B.	Curtis	Hamilton	Mesick	Treadway
Baker, A. H.	Dante	Hughes	Moody	Upton
Barton	Davidson	Husted	Nixon	Van Gorder
Bauer	Decker	Kimball	Pearsall	Walters
Brown	de Peyster	Lane	Rhodes	Whipple
Brownell	Dinehart	Larmon	Saunders	Yates
Carson	Donaldson	Lewis	Savery	Youngman
Cheney	Dunlap	Little	Saxton	Speaker
Clark, J.	Edwards	Loder	Sheldon	

Those who voted in the negative, were

Blake	Endres	Harwood	McLaughlin	Schaaff
Blanchfield	Fish	Hayes	Miley	Sheehan
Blumenthal	Gibbs	Hitt	Miller	Smith, T.
Bush, R. P.	Graham	Kelly	Mullaney	Strassburg
Clarke, C. C.	Greene	Kerrigan	Murray	Sullivan
Connelly	Guenther	Longley	Rice	Townsend
Demarest	Haffner	Martin	Roesch	Yetman
Duffy	Hagan	McCarren	Ryan	Young
Dunham				

The Senate bil (No. 453) entitled "An act to repeal section 1 of chapter 280 of the Laws of 1870, entitled 'An act to amend an act passed April 13, 1855, entitled An act in relation to the collection of taxes on lands of non-residents, and to provide for the sale of such lands for unpaid taxes'" (Rec. No. 249), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 76 }
 { NOES 3 }

Those who voted in the affirmative, were

Acker	Coon	Graham	Loder	Savery
Adams	Cottrell	Greene	Longley	Schaaff
Ainsworth	Curtis	Groat	Martin	Sheehan
Aspinall	Dante	Haffner	McKenzie	Smith, C.
Baker, A. B.	Davidson	Hagan	McLaughlin	Smith, M. A.
Barton	Decker	Haggerty	Mead	Smith, T.
Bauer	Demarest	Hamilton	Mesick	Stevens
Blanchfield	Dinehart	Hayes	Miley	Strassburg
Blumenthal	Donaldson	Husted	Moody	Sullivan
Brown	Duffy	Kelly	Murray	Townsend
Brownell	Dunlap	Kerrigan	Peck	Treadway
Bush, R. P.	Edwards	Kimball	Rice	Walters
Clark, J.	Endres	Lane	Roesch	Yates
Clarke, C. C.	Fitts	Larmon	Ryan	Yetman
Comstock	Flaherty	Le Roy	Saunders	Youngman
Connelly				

Those who voted in the negative, were

Crosby Guenther Saxton

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Hagan offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on internal affairs be discharged from the further consideration of Senate bill No. 449, entitled "An act providing for the erection and construction of buildings, and the construction of sewers, roads and water mains on the Kings county farm at St. Johnland, Long Island," and that the same be ordered to a third reading and now read the third time.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

The Senate returned the bill entitled "An act to provide for the cash payment of wages by corporations" (No. 582), with a message that they have concurred in the passage of the same with the following amendment:

Section 2, line 4, after the word "provided" insert the word "complaint."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Curtis	Greene	Lewis	Ryan
Adams	Dante	Groat	Loder	Saunders
Ainsworth	Davidson	Guenther	Longley	Savery
Andrus	Decker	Haffner	Martin	Saxton
Baker, A. H.	Demarest	Haggerty	Mase	Schaaff
Barton	Dinehart	Hamilton	McAdam	Sheehan
Bauer	Dinkelspiel	Harwood	McCarren	Smith, M. A.
Blake	Donaldson	Hayes	Mead	Smith, T.
Blanchfield	Duffy	Hornidge	Mesick	Sperry
Brown	Dunham	Husted	Miller	Stevens
Bush, R. P.	Edwards	Kelly	Murray	Sullivan
Carson	Endres	Kimball	O'Neil	Treadway
Clark, J.	Fish	King	Pearsall	Van Gorder
Connelly	Flaherty	Lane	Peck	Walters
Coon	Gibbs	Larmon	Rice	Whipple
Cottrell	Graham	Le Roy	Roesch	Yates

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

The Senate returned the bill entitled "An act to provide for the printing, binding and distribution of 10,000 copies of the memorial proceedings of the Legislature on the death of Gen. Philip H. Sheridan" (Int. No. 1234), with a message that they have concurred in the passage of the same, with the following amendments:

Amend section 1 so as to read as follows:

SECTION 1. There shall be printed, under the direction of the clerks of the Senate and Assembly, 6,000 copies of the memorial proceedings of the Legislature on the death of Gen. Philip H. Sheridan.

Section 2, line 1, strike out the word "ten" and insert the word "six."

Same section, line 2, strike out the words "said contractor" and insert the words "the person or persons performing said work."

Same section, line 8, strike out the word "eight" and insert the word "four."

Amend the title by striking out in line 2 the word "ten" and inserting the word "six."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 1 }

Those who voted in the affirmative, were

Acker	Curtis	Guenther	Longley	Savery
Ainsworth	Dante	Haffner	Mase	Saxton
Andrus	Decker	Hagan	McAdam	Schaaff
Aspinall	Demarest	Haggerty	McCann	Sheehan
Baker, A. B.	de Peyster	Hamilton	McKenzie	Sheldon

Baker, A. H.	Dinehart	Hayes	McLaughlin	Smith, M. A.
Barton	Donaldson	Hitt	McMaster	Smith, T.
Bauer	Duffy	Hughes	Moffitt	Sperry
Blake	Dunlap	Husted	Moody	Stevens
Blanchfield	Edwards	Kimball	Murray	Strassburg
Bush, R. P.	Endres	Lane	Newschafer	Towne
Carson	Fitts	Larmon	Nixon	Townsend
Cheney	Flaherty	Le Roy	Peck	Van Gorder
Comstock	Gibbs	Lewis	Rhodes	Whipple
Connelly	Graham	Little	Rice	Yetman
Cottrell	Greene	Loder	Roesch	Youngman
Cronin	Groat			

For the negative,

Crosby

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

Mr. Acker offered for the consideration of the House a resolution, in the words following :

Resolved, That a committee of two be appointed by the Speaker to wait upon the Governor and inform him that the Assembly has completed its labors and is ready to adjourn.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. Acker and Young.

Mr. Decker offered for the consideration of the House a resolution, in the words following:

Resolved, That a committee of two be appointed by the Speaker to inform the Senate that the Assembly has completed its labors and is ready to adjourn.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. Decker and Blumenthal.

The Senate returned the bill entitled "An act to amend chapter 422 of the Laws of 1885, entitled 'An act to amend chapter 737 of the Laws of 1873, entitled An act in relation to the creation and formation of water-works companies in towns and villages in the State of New York, and chapter 415 of the Laws of 1876, entitled An act supplementary to chapter 737 of the Laws of 1873, entitled An act in relation to the creation and formation of water-works companies in the towns and villages of the State of New York, and chapter 483 of the Laws of 1883, entitled An act supplementary to chapter 737 of the Laws of 1873, entitled An act in relation to the creation and formation of water-works companies in towns and villages of the State of New York'" (No. 13), with a message that they have concurred in the passage of the same with the following amendments:

Section 1, line 23, strike out the word "twelve" and insert the word "fifteen."

Section 2, strike out lines 3, 4, 5, 6 and 7 and down to and including the word "same" in line 8, and insert the following:

"§ 5. It shall be the duty of such corporations and they are hereby authorized and empowered to contract with the authorities or with any of the inhabitants of any town or village through which the conduits or mains of such corporations may pass or wherein such corporations may have organized to supplying of such inhabitants or authorities with pure and wholesome water at reasonable rates and cost, to all persons or corporations who may wish to use the same, and such corporations or persons so contracting are hereby authorized and empowered to make all necessary connections with any of its conduits or mains for that purpose."

By unanimous consent,

The Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Acker	Cronin	Hagan	McLaughlin	Smith, C.
Adams	Decker	Haggerty	McMaster	Smith, M. A.
Ainsworth	Demarest	Hamilton	Moffitt	Smith, T.
Andrus	Dinehart	Hayes	Moody	Sperry
Aspinall	Dinkelspiel	Hughes	Mullaney	Stevens
Baker, A. B.	Donaldson	Husted	Murray	Sullivan
Barton	Dunlap	Kent	Newschafer	Tefft
Bauer	Edwards	Kimball	O'Neil	Townsend
Blanchfield	Endres	Le Roy	Pearsall	Treadway
Brownell	Fitts	Loder	Peck	Van Gorder
Bush, R. P.	Flaherty	Longley	Rhodes	Walters
Carson	Gallup	Martin	Saunders	Whipple
Cheney	Gibbs	Mase	Saxton	Yates
Comstock	Greene	Maynard	Schaaff	Yetman
Connelly	Guenther	McAdam	Sheehan	Young
Coon	Haffner	McKenzie	Sheldon	Youngman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate bill (No. 604) entitled "An act to authorize an examination of the claim of Thomas O'Connor, and to audit and pay the amount that may be justly due" (Rec. No. 258), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Davidson	Haggerty	McCann	Ryan
Baker, A. H.	Decker	Harwood	McCarren	Saunders
Barton	Demarest	Hitt	McKenzie	Savery
Bauer	de Peyster	Hughes	McLaughlin	Sheehan
Blake	Dinkelspiel	Husted	Mead	Sheldon
Blanchfield	Duffy	Kelly	Mesick	Smith, C.
Blumenthal	Dunham	Kent	Miley	Sullivan
Brown	Dunlap	Kimball	Moffitt	Tefft
Brownell	Edwards	Lane	Moody	Treadway
Bush, G. H.	Endres	Lewis	Mullaney	Upson
Bush, R. P.	Fitts	Little	Newschafer	Van Gorder
Clarke, C. C.	Gibbs	Loder	O'Neil	Yates
Comstock	Groat	Longley	Pearsall	Yetman
Cottrell	Guenther	Martin	Rhodes	Young
Cronin	Haffner	Maynard	Rice	Youngman
Dante	Hagan	McAdam	Roesch	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill entitled "An act authorizing the construction of a new iron bridge, with double driveways and sidewalks, over the Erie canal at George street in the city of Rome" (No. 608), with a message that they have concurred in the passage of the same with the following amendment:

Add at the end of section 1 the words "but no work shall be done, or money expended, under the provisions of this act until a contract has been made and duly entered into therefor by and between the Superintendent of Public Works and the contractor or contractors doing the same, after due advertisement."

By unanimous consent,

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Cronin	Guenther	Longley	Saunders
Ainsworth	Curtis	Haffner	Martin	Savery
Andrus	Dante	Hagan	Maynard	Schaaff
Aspinall	Decker	Haggerty	McAdam	Sheehan
Baker, A. B.	Demarest	Harwood	McCann	Smith, C.
Baker, A. H.	Dinehart	Hayes	McKenzie	Smith, M. A.
Barton	Dinkelspiel	Hitt	McLaughlin	Sperry
Bauer	Donaldson	Hughes	McMaster	Stevens
Blake	Duffy	Husted	Mesick	Sullivan
Blanchfield	Dunham	Kelly	Moffitt	Townsend

Blumenthal	Dunlap	Kent	Moody	Treadway
Brown	Edwards	Kerrigan	Murray	Van Gorder
Bush, R. P.	Endres	King	Newschafer	Walters
Cheney	Enz	Lane	Pearsall	Whipple
Clark, J.	Fitts	Larmon	Peck	Yates
Clarke, C. C.	Graham	Lewis	Rhodes	Yetman
Coon	Greene	Little	Roesch	Young
Cottrell	Groat	Loder	Ryan	Youngman

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in their amendment.

The Senate returned the following entitled Senate bills, with a message that they have concurred in the amendments of the Assembly thereto:

"An act to revise, amend and consolidate the several acts in relation to the city of Hudson, and to revise and amend the charter of said city." (Rec. No. 242.)

"An act further to amend chapter 819 of the Laws of 1866, entitled 'An act to incorporate the village of New Brighton.'" (Rec. No. 172.)

"An act in relation to the payment of the salary of John H. Roberts, formerly the chief recording clerk in the office of the clerk of the city and county of New York." (Rec. No. 368.)

"An act to provide for the construction of fishways in the Hudson river at Mechanicville and Northumberland on all dams hereafter erected in this State on streams that are public highways." (Rec. No. 280.)

"An act further to amend chapter 588 of the Laws of 1886, entitled 'An act to provide for and define the public or legislative printing.'" (Rec. No. 155.)

"An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn, with reference to the fire marshal.'" (Rec. No. 339.)

"An act to amend chapter 299 of the Laws of 1883, entitled 'An act to provide for the enrollment of the militia for the organization and government of the National Guard of the State of New York, and for the public defense, and entitled the 'Military Code,' as amended by chapters 91, 322 and 323, Laws of 1884; chapters 268 and 310, Laws of 1885; chapters 412 and 487, Laws of 1886; chapter 649, Laws of 1887, and chapter 332, Laws of 1888.'" (Rec. No. 347.)

Ordered, That the Clerk return said bills to the Senate.

The Senate returned the "Concurrent resolution proposing an amendment to article 6 of the Constitution, relating to election of additional justices of the Supreme Court," with a message that they have concurred in the passage of the same.

The Senate returned the bill entitled "An act to provide for the establishment of a reformatory for women, and making an appropriation therefor" (No. 830), with a message that they have concurred in the passage of the same, as amended.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the following entitled bills:

"An act to regulate the powers of the United States Harvey Way Construction Company." (No. 530.)

"An act to secure to children the benefits of an elementary education, and making an appropriation therefor" (No. 548.)

"An act to provide for recording and indexing instruments affecting land in the city of New York according to city blocks or other limited areas." (No. 533.)

"An act making an appropriation for continuing work upon the Capitol, and appointing commissioners to supervise the plans therefor and the work thereon." (No. 1081.)

"An act to amend chapter 422 of the Laws of 1885, entitled 'An act to amend chapter 737 of the Laws of 1873, entitled An act in relation to the creation and formation of water-works companies in towns and villages of the State of New York,' and chapter 415 of the Laws of 1876, entitled 'An act supplementary to chapter 737 of the Laws of 1873, entitled An act in relation to the creation and formation of water-works companies in the towns and villages of the State of New York,' and chapter 483 of the Laws of 1883, entitled 'An act supplementary to chapter 737 of the Laws of 1873, entitled An act in relation to the creation and formation of water-works companies in towns and villages of the State of New York.'" (No. 13.)

"An act regulating the commitment, custody and discharge of the insane." (No. 986.)

"An act to amend title 2 of chapter 3 of part 4 of the Revised Statutes, relating to State prisons." (No. 1163.)

"An act to establish a Code of Evidence." (No. 848.)

"An act to permit the city of Auburn to raise money to build a bridge across the Owasco outlet at Genesee street in said city." (No. 920.)

"An act to amend chapter 414 of the Laws of 1881, entitled 'An act permitting the verification of pleadings in justices' courts.'" (No. 62.)

"An act to amend chapter 561 of the Laws of 1881, entitled 'An act authorizing the city of Elmira to issue bonds for the purpose of establishing a permanent system of sewerage in said city, and in relation to the construction of said sewerage,' and acts amendatory thereof." (No. 698.)

"An act making an appropriation for the purpose of deepening the outlet of Chautauqua lake, from the Jamestown docks to a point three and one-quarter miles therefrom." (No. 870.)

"An act to provide for the printing, binding and distribution of 6,000 copies of the memorial proceedings of the Legislature on the death of Gen. Philip H. Sheridan, and making an appropriation therefor." (Int. No. 1234.)

"An act to authorize the city of Cohoes to acquire and pay for lands necessary for altering, straightening and widening Saratoga street in said city, between Spring street and Main street." (No. 611.)

"An act to provide for the cash payment of wages by corporations." (No. 582.)

"An act to provide for the erection and maintenance of a free public bathing-house in the city of New York." (No. 1113.)

"An act authorizing the construction of a new iron bridge, with double driveways and sidewalks over the Erie canal at George street, in the city of Rome." (No. 608.)

"An act requiring the county clerks of each of the counties of this

State to keep a register of the moneys directed by the judgments, decrees and orders of the courts to be deposited with the county treasurer of his county." (No. 484.)

"An act for the protection of fish in the waters of Owasco lake, Cayuga lake, and their outlets, and Seneca river and Ganargua creek." (No. 965.)

"An act requiring clerks of the counties of this State to execute bonds for the faithful discharge of their duties, and to account for and pay over all moneys deposited with them, as such clerks, pursuant to law or the orders of courts." (No. 669.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

"An act in relation to certain parks and a parade ground in Long Island City." (No. 879.)

"An act to confirm the action and proceedings of the trustees of the village of Corning, acting as commissioners of highways, on discontinuing portions of State street, Water street and the alley in block 83 in said village." (No. 1023.)

"An act to amend chapter 568 of the Laws of 1888, entitled 'An act authorizing the board of estimate and apportionment of the city of New York to audit the claim of the representatives of the firm of S. P. Dismore & Co. for advertising in the Stockholder of notices and proceedings required by the law to be advertised in said city, and providing for the payment of the same.'" (No. 836.)

"An act to regulate the salaries of police patrolmen in Long Island City." (No. 913.)

"An act to amend chapter 713 of the Laws of 1887, entitled 'An act to amend chapter 483 of the Laws of 1885, entitled An act to tax gifts, legacies and collateral inheritances in certain cases.'" (No. 332.)

"An act to provide for the erection of a new State prison and for the removal of the present State prison from Sing Sing, and making an appropriation therefor." (No. 671.)

"An act to legalize and confirm certain concurrent resolutions for printing, passed by the Legislature of 1889, and certain resolutions passed by the Senate or by the Assembly during the session of said Legislature." (Int. No. 1227.)

"An act to establish a police pension fund in the city of Buffalo." (No. 1171.)

"An act to regulate fishing in Glen lake, Warren county." (No. 837.)

"An act to enable courts of justice to receive in evidence in actions or proceedings involving the title of premises known by the street number as No. 209 Hester street, in the city of New York, certain testimony heretofore received in a cause involving the same question." (No. 977.)

"An act to provide for the preliminary education of medical students." (No. 884.)

"An act to provide for the rehearing of the claim of John Fitzpatrick for extra work done and materials furnished for the State, under the direction of State officials, in the improvement of Fall creek, in Havana, Schuyler county." (No. 899.)

"An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,' and the acts amendatory thereof and supplementary thereto." (No. 487.)

"An act to release to George Feller the title and interest of the people of the State of New York in and to certain lands in the county of Allegany, descended to him as heir-at-law of Christian Feller, his son, late of the town of Willing, in said county, deceased." (No. 1103.)

"An act to amend chapter 198 of the Laws of 1876, entitled 'An act to amend chapter 140 of the Laws of 1850, entitled 'An act to authorize the formation of railroad corporations and to regulate the same, so far as the same relates to cities of less than 1,000,000 inhabitants.'" (No. 508.)

"An act to authorize the fixing of salaries of patrolmen acting as precinct detectives of police in the city of New York." (No. 1085.)

"An act to amend chapter 206 of the Laws of 1851, entitled 'An act to revise, amend and consolidate the several acts in relation to the village of Salem, in the county of Washington, relating to the founding and maintaining of a public library in said village.'" (No. 1159.)

"An act to provide for raising money by tax for lighting the streets by gas or electricity in the city of Cohoes." (No. 923.)

"An act making an appropriation for the completion of the bridge and the approaches thereto across the Champlain canal at the east end of Ship street in the city of Cohoes." (No. 924.)

"An act to amend chapter 120 of the Laws of 1886, entitled 'An act to revise the charter of the city of Lockport,' as amended by chapter 364 and chapter 571 of the Laws of 1887, and chapter 201 of the Laws of 1888." (No. 928.)

"An act authorizing railroad corporations which have purchased the right, franchise and privilege of using streets, roads, avenues, parks or public places at public auction for a percentage per annum of their gross receipts, to use the tracks of other railroad companies" (No. 1011.)

"An act relative to the cleaning of streets, avenues, alleys and public places in the city of Brooklyn, and to provide the means of payment for the same." (No. 1180.)

"An act to establish the compensation of the surrogate of Westchester county." (No. 370.)

"An act to amend chapter 104 of the Laws of 1873, entitled 'An act to authorize the town of Pelham, in the county of Westchester to purchase, pay for, acquire title to and maintain the bridge owned by the City Island Bridge Company.'" (No. 167.)

"An act to amend chapter 230 of the Laws of 1882, entitled 'An act to incorporate the Franklin Loan and Trust Company of the city of New York,' as amended by chapter 474 of the Laws of 1887." (No. 992.)

"An act to amend chapter 557 of the Laws of 1887, entitled "An act to authorize the park commissioners of the city of Buffalo to select and locate such ground as may be deemed desirable for park purposes in the Thirteenth ward of said city, and in the town of West Seneca, Erie county.'" (No. 1049.)

"An act to regulate the rate of wages on all public works in this

State, and to define what laborers shall be employed thereon." (No. 576.)

"An act to amend subdivision 4 of section 640 of the Penal Code, 'Of malicious injury and destruction of property.'" (No. 1169.)

"An act to amend chapter 497 of the Laws of 1884, entitled 'An act to amend chapter 141 of the Laws of 1871, entitled An act to abolish tolls on certain roads and bridges in the towns of Newtown and Flushing, in the county of Queens, and provide compensation therefor.'" (No. 774.)

"An act to repeal chapter 186 of the Laws of 1874, entitled 'An act for the relief of the president, directors and company of the Schoharie Kill Bridge Company.'" (No. 654.)

"An act to amend chapter 2 of part 2 of the Revised Statutes, as amended by chapter 320 of the Laws of 1830 by making an additional section to said chapter, and to amend section 2 of chapter 157 of the Laws of 1842, entitled 'An act to extend the exemption of household furniture and working tools from distress for rent and sale under execution,' relating to the descent of real estate and distribution of personal property." (No. 970.)

"An act to prohibit the St. Regis Indians residing in the Dominion of Canada from trespassing and settling upon that portion of the reservation of the St. Regis Indians residing in this State." (No. 1123.)

"An act for the relief of Daniel McCabe, assignee, for services rendered and materials furnished in putting up window shades and awnings upon certain public buildings of the city of New York, in the county and State of New York." (No. 967.)

"An act to amend chapter 368 of the Laws of 1865, entitled 'An act for the incorporation of societies or clubs for certain social and recreative purposes.'" (No. 844.)

"An act to authorize and empower the board of auditors of the town of Livonia, Livingston county, to audit and allow the claims of Julius C. Reed, James D. Sullivan and H. Nelson Jerome, assessors of said town." (No. 768.)

"An act to fix the compensation of the county judge and surrogate of Rockland county." (No. 36.)

"An act to amend section 8 of article 1 of title 1 of chapter 8 of part 2 of the Revised Statutes, relating to the solemnization of marriage." (No. 543.)

"An act authorizing the construction of a stone wall along the edge of the towing path of the Erie canal, and in the rear of the premises known as Nos. 1840, 1842 and 1844 and 1846 Niagara street, in the city of Buffalo, and making an appropriation therefor." (No. 275.)

"An act to amend section 5 of chapter 133 of the Laws of 1847, entitled 'An act authorizing the incorporation of rural cemetery associations,' relating to the election of trustees." (No. 208.)

"An act to incorporate the Buffalo and Niagara Power and Drainage Company." (No. 1212.)

"An act to provide for improving the channels of Fox creek and ditches tributary thereto, in the northern part of the town of Amherst, in the county of Erie, and making an appropriation therefor." (No. 1065.)

"An act to provide ways and means for the support of government." (Int. No. 1249.)

"An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' amending the arrearage law." (Int. No. 692.)

"An act to provide for the construction of fish-ways in the dams across Cattaraugus creek, and its tributaries." (No. 930.)

"An act to amend the Code of Civil Procedure, of the general jurisdiction of superior city courts; what answers must contain; how property to be attached; when time cannot be extended; preceeding order may be reviewed; limitation of time to appeal rules of construction." (Int. No. 932.)

"An act reappropriating the unexpended balance of chapter 372, Laws of 1888, being 'An act for the construction of a wall on the Erie canal in the city of Rome, to carry into effect the provisions of chapter 550, Laws of 1886.'" (Int. No. 1142.)

"An act requiring the Comptroller and the Superintendent of Public Instruction to adjust the accounts of the State with the several counties thereof." (Int. No. 1228.)

"An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' touching local improvements and the department of fire, and repealing certain sections of said act." (No. 646.)

"An act to release to Frederick Theiss all the right, title and interest of the people of the State of New York in and to certain real estate in the city of Brooklyn, Kings county, N. Y." (No. 939.)

"An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,' and the acts amending the same, relating to fire districts in incorporated villages." (No. 590.)

"An act to amend chapter 546 of the Laws of 1887, entitled 'An act to provide for the organization of trust companies,' for their supervision, and for the administration of their affairs." (No. 962.)

"An act to amend chapter 265 of the Laws of 1887, entitled 'An act to protect primary elections and conventions of political parties, and to punish offenses committed thereat.'" (No. 851.)

"An act to amend section 601 of the Penal Code, relating to receiving deposits in insolvent banks, and for the better protection of depositors in banks, investment, trust, life insurance, fidelity, casualty, mortgage, loan and guarantee companies and associations or with brokers." (No. 454.)

"An act to authorize the creation of a commission to examine into and report upon plans for the improvement of Gowanus creek or canal in the city of Brooklyn." (No. 558.)

"An act to authorize the Board of Claims to hear, audit and determine the claim of Thomas Benway against the State for loss and damages to his property caused by the State, and to make an award therefor." (No. 788.)

"An act to amend chapter 392, Laws of 1871, entitled 'An act to incorporate the Southern New York Baptist Association.'" (No. 969.)

"An act in relation to the publication of the Code of Evidence." (Int. No. 1244.)

"An act to amend sections 9 and 10 of title 1 of chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,' as amended by section 5 of chapter 213 of the Laws of 1875, entitled 'An act relative to the care and education of deaf-mutes.'" (No. 982.)

"An act to amend chapter 409 of the Laws of 1886, as amended by chapter 462 of the Laws of 1887, entitled 'An act to regulate the employment of women and children in manufacturing establishments and to provide for the appointment of inspectors to enforce the same.'" (No. 897.)

"An act authorizing and empowering the board of supervisors of Kings county to appoint a stenographer to the coroners of said county, and to fix the salary of the same." (No. 883.)

"An act to create a board of park commissioners in and for the city of Utica." (No. 519.)

"An act making an appropriation for the payment of New Capitol employes by the State Treasurer." (Int. No. 1251.)

"An act to amend chapter 363 of the Laws of 1886, entitled 'An act to amend, revise and consolidate the several acts relating to the village of Canton, and to enlarge the powers of the corporation of said village,' relative to the boundaries of said village and duties of assessors." (No. 925.)

"An act to enforce the collection of taxes levied by the county of Rockland." (No. 562.)

"An act to release to Harry H. Hurford and Bessie P. Barnett the right, title and interest of the people of the State of New York in certain real estate in the village of Cooperstown, Otsego county, New York." (No. 922.)

"An act making an appropriation for the construction of a lift or hoist-bridge over the Erie canal, to take the place of the bridge known as the Church street bridge, in the city of Schenectady." (No. 1048.)

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Greene in the chair.

Messrs. Vedder and McNaughton, a committee from the Senate, announced that they had been directed by that body to inform the honorable the Assembly, that the Senate had concluded its business and was ready to adjourn.

Messrs. Decker and Blumenthal, the committee appointed to inform the Senate that the Assembly had completed its labors and was ready to adjourn, reported that they had performed that duty.

Messrs. Acker and Young, the committee of the House appointed to inform his Excellency the Governor, that the Assembly had completed its labors and was ready to adjourn, reported that they had performed that duty, and that the Governor informed the House that he had no further recommendations or communications to present to the Assembly, and that he presented his compliments, and wished the entire Assembly a pleasant journey home.

Mr. Sheehan offered for the consideration of the House a resolution, in the words following:

Resolved, That the members of this House express to the Speaker their appreciation of the firm, courteous and dignified manner in

which he has presided over the Assembly, and tender to him their thanks and best wishes.

Mr. Speaker put the question whether the House would agree to said resolution, and it was unanimously adopted by a rising vote.

Mr. Blumenthal offered for the consideration of the House a resolution, in the words following:

Resolved, That the members of this Assembly desire to express their high appreciation and hearty approval of the efficient, impartial and courteous manner in which Hon. Charles A. Chickering has discharged the arduous, difficult and delicate duties as Clerk of this House, and also to extend to him our best wishes for his prosperity and happiness.

Mr. Speaker put the question whether the House would agree to said resolution, and it was unanimously adopted.

Mr. McCann offered for the consideration of the House a resolution, in the words following:

Resolved, That the thanks of this House are due and herewith tendered to O. H. Willard, Sergeant-at-Arms, and Door-keepers Homer B. Webb and John R. Harlow for the manner in which they have discharged their duties during the present session.

Mr. Speaker put the question whether the House would agree to said resolution, and it was unanimously adopted.

Mr. R. P. Bush offered for the consideration of the House a resolution, in the words following:

Resolved, That the thanks of this House be and they are hereby extended to George H. Thornton for the efficient services he has rendered as official stenographer.

Mr. Speaker put the question whether the House would agree to said resolution, and it was unanimously adopted.

Mr. Hayes offered for the consideration of the House a resolution, in the words following:

Resolved, That the members of this House tender their hearty thanks to the clerks and other employés for the admirable manner in which they have performed their respective duties.

Mr. Speaker put the question whether the House would agree to said resolution, and it was unanimously adopted.

Mr. Saxton offered for the consideration of the House a resolution, in the words following:

Resolved, That the sincere thanks of the majority of this Assembly are hereby extended to Hon. W. F. Sheehan, leader of the minority, for his uniform kindness and courtesy, and they hereby extend to him their best wishes for his future prosperity.

Mr. Speaker put the question whether the House would agree to said resolution, and it was unanimously adopted.

Mr. Young offered for the consideration of the House a resolution, in the words following:

Resolved, That the members of the minority of this Assembly desire to express their hearty approval of the kind and courteous conduct of the Hon. James W. Husted, the leader of the majority during the present session, and to assure him of their earnest, cordial, good wishes for his future success and prosperity.

Mr. Speaker put the question whether the House would agree to said resolution, and it was unanimously adopted.

Mr. Husted said: Mr. Speaker, there is no other committee of this House so important as the committee on revision. It has been in existence but three years. It has been fortunate in having at its head during those three years, this being the fourth, an able and distinguished man. Its first chairman was a man of character and ability. Its second chairman is one known to all of us, and especially in the Southern tier. Its third chairman, down the Hudson, received the thanks of this House last year. This year we have our friend Acker, from Steuben. We are all indebted to him, Democrats and Republicans. He has been, outside of the Clerks, the hardest-working man in this House, and I think all will join me in adopting a resolution of thanks to him. I move such a resolution.

Said resolution was unanimously adopted.

The Speaker announced the appointment of the following officers to remain ten days after adjournment, pursuant to the provisions of chapter 653 of the Laws of 1886:

Almon C. Green, Assistant Clerk; James S. Mitchell, Journal Clerk; William P. Dodge, Deputy Clerk.

The speaker announced the appointment of the following doorkeepers, messengers and pages to attend upon the organization of the next Legislature, pursuant to the provisions of chapter 653 of the Laws of 1886:

Assistant doorkeepers, C. A. Davenport, John R. Harlow, C. C. Brownell; messengers, W. W. Cummings, John D. Hayes; pages John D. Fratsher, William Wolf, Jr., Harry O. Bennett, John D. Watkins, H. C. Boomhower, James Callan.

The hour of 12 o'clock having arrived, the Speaker resumed the chair and addressed the Assembly as follows:

GENTLEMEN OF THE ASSEMBLY.—The time for the final adjournment of the Legislature of 1889 is upon us. In the history of our great commonwealth this is the one hundred and twelfth session that has seen the close of its legislative labors. Like the majority of its predecessors it has not accomplished all the reforms which, at the commencement of its life, it fondly imagined could be achieved, but it ceases to exist with the sincere conviction that upon the whole its efforts merit in a very large degree, the approval and congratulation of the people of the State. All the great problems which have seemed to demand and absorb the attention of our people have been discussed and considered with fairness, courage and discretion. The reform of the excise laws, the purification of the ballot, the problem of prison labor, the improvement of the canals, the equalization of the burdens of taxation, and, in fact, all of the great questions of the hour have received thorough and candid treatment, and manly and intelligent consideration. Without being accused of flattery, I may be permitted to say that this has been an exceptionally strong House. Few, indeed, of the assemblies of the past have numbered among its leaders and debaters so many men of wide experience, marked ability and distinguished reputation. Like every representative body of men, dominated by the power of intellect and ambition, disappointments, heartburnings and rivalries have been almost daily guests, and personal and partisan antipathies almost the constant inhabitants of our chamber. These conditions, however, do not exist without accom-

panying recompense. Like all other misfortunes they have their many and delightful compensations. In the fierce heat of political encounter and legislative debate friendships are begun and cemented which the ordinary routine of years could never attain. It is sufficient for me to say that I take leave of this Assembly with the highest respect for its ability and character. Without one remaining spark of personal bitterness toward any of the members of this House, but with the kindest of feeling toward each and every individual upon this floor, I desire to return my earnest thanks for your always manly and courteous treatment and generous and considerate attention. The hour of 12 o'clock having arrived, I hereby, pursuant to the joint resolution of both Houses, declare the Assembly of 1889 adjourned without day.

CHARLES A. CHICKERING,

Clerk.

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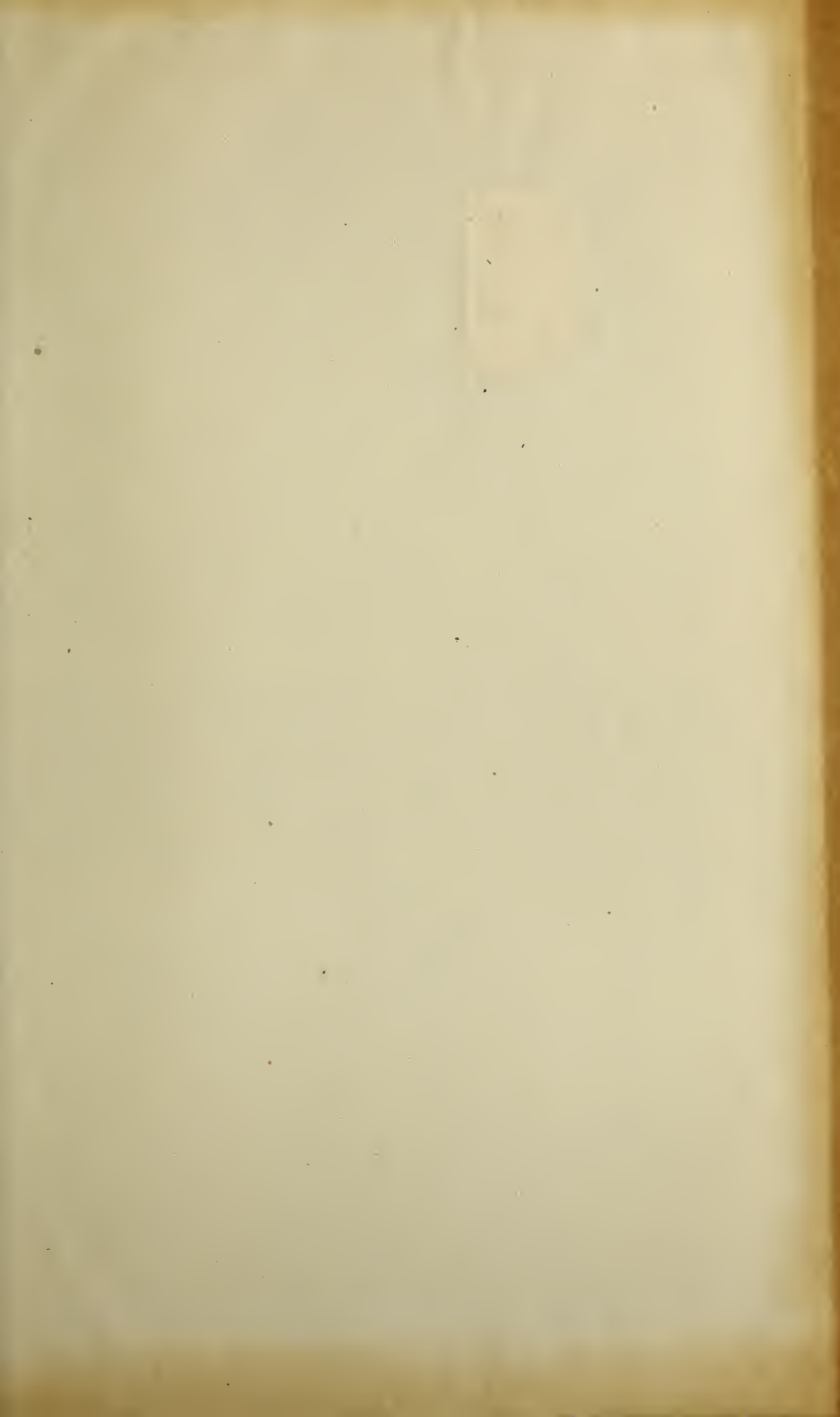
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